the weekly
Standard
AUGUST 10 / AUGUST 17, 1998 • $3.50

DON'T WRITE OFF THE ART WORLD
DAVID GELERNTER

Endgame

Clinton's Legacy • NOEMIE EMERY

Clinton's Women • PAUL LAKE

Clinton's Dilemma • THE EDITORS

Looks Like a Republican November
Fred Barnes

The International Criminal Court Must Die
David Frum

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The EPA v. The Truth About Environmental Tobacco Smoke

U.S. District Judge William Osteen:

"In this case, EPA publicly committed to a conclusion before research had begun...and aggressively utilized [statutory] authority to disseminate findings to establish a de facto regulatory scheme intended to restrict Plaintiffs' products and to influence public opinion.

"In conducting the ETS Risk Assessment, EPA disregarded information and made findings on selective information....

"EPA's conduct raises several concerns besides whether a relative risk of 1.19 is credible evidence supporting a Group A classification. First, with such a weak showing, if even a fraction of Plaintiffs' allegations regarding study selection or methodology is true, EPA cannot show a statistically significant association between ETS and lung cancer.

"The court is faced with the ugly possibility that EPA adopted a methodology for each chapter, without explanation, based on the outcome sought in that chapter."

Carol Browner, Administrator U.S. Environmental Protection Agency:

"The court's decision is based on procedural concerns regarding technical aspects of EPA's study."

It's Time For The Truth To Begin And The Witchhunt To End

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This is a combined issue. The next WEEKLY STANDARD *will appear in two weeks.*

the weekly Standard

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The Audit Bureau Member

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Tripp's Trip and Other Matters

No sooner had Linda Tripp finished her final day of testimony before the grand jury last week than word leaked out that her old pal Monica Lewinsky was crediting Tripp herself, of all people, with authoring the now-famous "talking points." Lewinsky gave Tripp the talking points, interestingly enough, two days after Tripp (unbeknownst to Lewinsky) had begun cooperating with Kenneth Starr—an odd time, surely, for a witness to compose a memo to herself about how to commit perjury. In any case, Tripp sticks with the story she gave the grand jury: She had nothing to do with authoring the talking points, and further, Lewinsky herself, upon giving Tripp the papers, told her friend that "this is what the president wants you to say."

Meanwhile, Tripp is off on a brief vacation to an understandably undisclosed location, after which she will return to an unsettled professional future. A Pentagon public affairs officer, she's been working from her house since the Lewinsky scandal broke, and it looks like that's where she'll stay. Her requests to return to work at her old office have so far been denied.

This spring, she was removed from her job as director of the Pentagon's Joint Civilian Orientation Conference and was reassigned to write an administrative manual. She subsequently made one trip back to her old office to retrieve personal materials. There she was met by three members of the Pentagon's office of general counsel, who asked her to leave and escorted her from the building. Tripp, incidentally, is a political appointee, who serves, in the delicious lingo of the government, "at the pleasure of the president."

Tripp's luck with friends—with one in particular, anyway—is famously bad, but it may have just gotten worse. Last week, she shared a five-hour dinner with CBS's Mike Wallace, who, Tripp sources say, is "putting on the full-court press" to get her to sit for an interview. To increase the pressure, Wallace has leaked word that he's reserving a choice chunk of time on *60 Minutes*' season debut this fall, just for Tripp. So far Tripp isn't biting. She'll be busy this fall, anyway. She'll have testimony to give at congressional hearings and—who knows?—maybe at a trial as well.

Gennifer's Vindication

Can't Gennifer Flowers get any respect? Here's a woman who told us all we need to know about Bill Clinton, and America kind of shoved her aside—shut up, lady, we've got a New Democrat to elect. The tapes she made of the then-governor showed us Clinton in all his glory, pressing the themes of his lifetime: "If everybody's on record denying it, you've got no problem." And, "If everybody kind of hangs tough, they're just not gonna do anything." And, "They can't run a story like this unless somebody says, 'Yeah, I did it with him.'"

Well, Flowers said she "did it with him," and now Monica Lewinsky is set to do the same. Early on, credible reports had it that Lewinsky quoted the president as telling her, "There is no evidence, so you can deny, deny, deny." And last week, we heard that Lewinsky will tell the grand jury that Clinton said to her, "If there are two people in a room and something happens and they both deny it, there is no way to prove it."

So Boss Clinton marches on, organizing everyone around him to fool the feds, imposing a code of silence—*omertà*. Here's one more thing that Clinton told Flowers on those tapes, after she'd remarked that she heard Mario Cuomo was a "mafioso": "Well, he certainly looks like one." Perhaps Cuomo should now hold a press conference to say, "Who looks like a mafioso now, Bill?"

Mike McCurry, Epistemologist

Ken Starr may want to subpoena Mike McCurry's bookstore receipts to find out whether F.H. Bradley has been on the White House spokesman's reading list. McCurry's discourse with reporters last week on "ontology" puts The Scrapbook in mind of the late-Victorian philosopher, who was something of a neo-Hegelian, something of a neo-Platonist, and something of a nut. Bradley published a famous book in 1893 called *Appearance and Reality*, arguing that the dilemmas, complexities, and confusions of knowing what's real are so massive that reality itself must be a delusion and the notion of truth a snare for the unwary.

And McCurry is nothing if not wary. The contrast between his straightforward answers on other subjects and his complex, nuanced, and uninformative answers on Monica Lewinsky has been apparent since the scandal broke: In March, when The Weekly Standard's Tucker Carlson asked him if he wanted to find out what went on between Bill and Monica, McCurry replied, "God, no. No.

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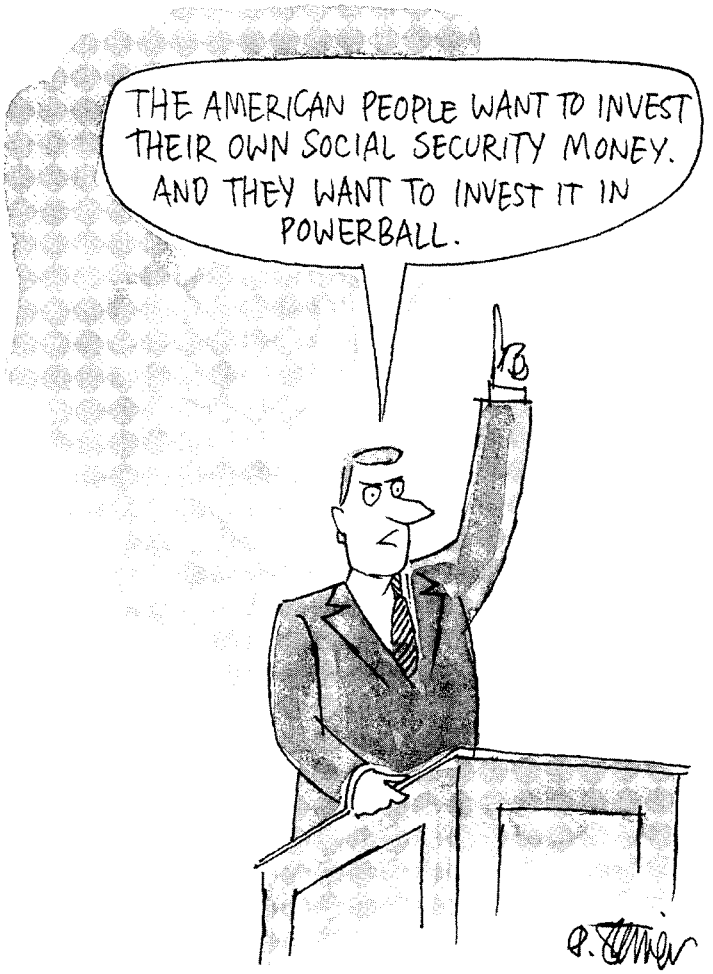

No, I really don't want to know." But as McCurry now reaches the final months of his tenure, he seems to have decided to raise even higher the intellectual tone of his occasional Socratic discourses with the press. He reached a new peak at last Tuesday's press conference. When a reporter asked whether he was willing to state flatly that the president has told the truth about Lewinsky, he replied, "I can only report what I ontologically know."

THE SCRAPBOOK suspects the word he was groping for is not "ontology"—the branch of metaphysics that studies reality or being—but "epistemology"—the study of knowing. On the other hand, if you dwell on the difficulties of knowledge long enough, it is reality that starts to look wobbly. And McCurry has been doing a lot of dwelling on the difficulties of knowledge. At Tuesday's press conference, of 78 questions asked about the Lewinsky affair, McCurry replied to 66 not with an answer but with a description of the epistemological complexities in ever attaining to knowledge. On Wednesday, he did almost as well, answering 71 of 85 Monica questions with philosophical explications of the impossibility of truth. "I don't know," he replied to one query. "I don't have any thoughts," he answered another. "You know more than I know," he retorted. "I don't have any clue," he explained. "I'd only be speculating as a layman." "I have no way of judging." "I don't have any factual basis to give you a speculative answer." "Who knows?" "What is widely reported and what is the truth may or may not be the same thing." "This is kind of a minimalist construction, I grant you."

In the announcement week before last of his impending departure, McCurry mentioned that one thing he'd look to do in his retirement is some teaching. After this performance, the philosophy department of every college in the country should be knocking at the door of America's new-found epistemologist, our home-grown F.H. Bradley.

CHINA SYNDROME

All the news about subpoenas, stains, and the Secret Service has overshadowed the ongoing investigation of how the Clinton administration's relaxation of export regulations on high-tech products may have undermined American national security. But that could change soon. Last week, the *Chicago Tribune* reported that a forthcoming General Accounting Office analysis will fault the administration for relying on a flawed study to justify exports of supercomputers to countries like China, India, and Pakistan. The study was conducted by Seymour Goodman, whose longtime bias in favor of relaxed controls was chronicled in these pages by Matthew Rees ("Sell Them Anything," September 8, 1997).

Not surprisingly, the GAO has called into question Goodman's work, charging that there was a failure to review how "countries of concern" could use American supercomputers for "military and other national security applications" (supercomputers can be used in the development of nuclear weapons). Moreover, the GAO says the Goodman study rested on an unproved assertion that exports of supercomputers were "uncontrollable."

According to the *Tribune*, the GAO study finds numerous other shortcomings in the Clinton export policy, including its failure to determine how supercomputers are used once they arrive in other countries. The senior Commerce Department official for exports, William Reinsch, has described the GAO study as "seriously deficient." Sounds like a case of what psychiatrists call projection—ascribing one's own flaws to others.

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Casual

GOTCHA

Wherein lies the pleasure of catching someone out in an error? It gives one, no doubt, that little touch of self-congratulatory superiority that helps one get through another day. It's finest when one catches an enemy or adversary in an error, but catching a person one is quite neutral about will supply the necessary frisson—and, in a pinch, catching even a friend will do.

I was reading the June 1 *New Yorker*, a magazine known for its careful fact checking, when, in the middle of a piece by George Plimpton about a man who wished to send himself aloft in a chair held up by helium balloons, I came across the following sentence:

"The original idea was that Larry would rise to approximately a hundred feet above the Van Deusen house and hold there, tethered by a length of rope wrapped around a friend's car—a 1962 Chevrolet Bonneville, down on the lawn—to get his bearings and to check everything out before moving on."

Chevrolet, I remembered, never had a model called a Bonneville. Pontiac did. The smallness of the error, combined with the fact that perhaps few people under 50 would know it was an error, greatly cheered me. That it had got by the excellent *New Yorker* fact checkers put the cherry on top.

Even better, only last evening, reading along in a brief profile in my college alumni magazine, I encountered a professor of rather extravagant intellectual pretensions quoted as saying: "He [Tolstoy] said people are either hedgehogs or foxes. Hedgehogs ball around and hold onto one idea, while foxes run from one to another. Well, I'm a fox."

Kiddo, I muttered to myself, you are more like a turkey. Tolstoy never said any such thing. The Greek poet Archilochus said it. (He actually said: "The fox knows many things, but the hedgehog knows one big thing.") The quotation is correctly given in the first sentence of Isaiah Berlin's famous essay on Tolstoy, "The Hedgehog and the Fox." The beauty of this little screw-up is that you can see just how it was made.

It reminded me of one of the recent mayors of my city who, on the Fourth of July, announced that he was pleased to be at Grant Park where the Chicago Symphony Orchestra was getting ready to play, as it does every year, Tchaikovsky's Twelfth. He meant, of course, Tchaikovsky's *1812 Overture*. Further piquancy was added by his pronunciation of the composer's name as if it were Chick Kowsky.

I thought about writing an amusing, only mildly malevolent letter to the editor of my alumni magazine about the hedgehog-and-fox faux pas. I could have written directly to the professor, pointing out his little mistake, adding that my own motives here went no further than wishing to prevent him from lapsing into the same error again. Or I could have written to him, on a typewriter and under a pseudonym, informing him that, since he wishes to come off as a pretentious horse's ass, he ought to get his facts straight.

I decided to do nothing. My problem is that I have had too many errors of my own, in various degrees of viciousness, pointed out to me. In a national magazine, I once referred to the Danish Kierkegaard as "that gloomy Swede," which enlivened my mail for weeks. (If you want lots and lots of mail, I am told, just misquote Shakespeare in print.)

More intricate but graver in its implications, in the *T.L.S.* I once assigned an anti-Semitic remark—"Literature is what one Jew plagiarizes from another"—to the man who quoted it (Alfred Pfoser) instead of to the man who in fact made it (Herman Bielohlawek). Mr. Pfoser, an Austrian, wrote a quite properly angry letter to the editor; I, in turn, wrote an abject apology for my error. I normally don't mind apologies, but those abject ones are hell to make.

I get a fair number of letters in which readers point out typographical errors in my books. They do so, I believe, good-heartedly, thinking that I can arrange to correct them in future editions. I get kindly and otherwise generous letters from time to time from a dermatologist who cannot resist, usually in a postscript, pointing out some error in grammar, spelling, or semantics in some piece I wrote years before. I finally had to write to inform him that this habit causes me to open his otherwise charming letters with a heavy heart.

I not long ago had a splendidly complimentary letter about something I had written, and it, too, was followed by a correction or two, to which the man appended a postscript, asking whether I had ever noted the tendency of people, even when praising, to want to point out errors. I wrote back to say that yes, actually, I had.

It's all, I suppose, as Dostoyevsky said about the owl and the pussycat: The owl gets one big thing wrong and the pussycat several small ones. Keep those cards and letters coming.

JOSEPH EPSTEIN

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Randy Tate
Executive Director

Subject: THE 105TH CONGRESS

Dear Friends:

Rather than directing our criticisms at the left-wing Clinton administration obstructionists, many conservatives instead have seemed to accuse their friends in Congress of accomplishing nothing during the last two years. That's wrong. In fact, this Congress would fairly be described as the "Remarkable" 105th Congress. Let's look at the record:

They have passed important legislation:

- Ban on Federal Funding for Needle Exchange
- Balanced Budget
- Ban on Partial-Birth Abortion (twice — with veto override vote scheduled before this session ends!)
- Restrictions on Federal Funding of Abortions
- Family Tax Relief ($500-per-child tax credit; Homemaker IRA)
- Education Reform (Education Savings Accounts, Scholarships for DC Students)
- Ban on Pornography Sales in Military PXs
- Adoption Reform

They have brought to consideration some matters that would not even have been considered had liberals like Senator Daschle and Congressman Gephardt been setting the agenda:

- Religious Freedom Amendment to the Constitution
- Dollars to Classroom Act
- Child Custody Protection Act
- Freedom from Religious Persecution Act
- Elimination of the Marriage Tax Penalty
- Any tax cuts

And, perhaps more important than what they have done — or have tried to do — they have prevented from serious consideration some harmful and outrageous proposals that would have been priorities under left-wing leadership:

- Socialized Medicine (Clinton "health care")
- Federalized Child Care
- National Testing (with the inevitable Federal Curriculum)
- Numerous wasteful national spending programs and federal meddling in state affairs

There have been roadblocks, and there is much more to be done. But the obstructions are not primarily on Capitol Hill, they're at 1600 Pennsylvania Avenue. Given that reality, visualize liberal control of Congress and imagine where we will be if we get it! It's not a pretty picture, and conservatives should be working together to see that it does not happen. But we must begin now.

Join us at Road to Victory '98 and hear from many of America's leading conservatives including:

Dick Armey	Chuck Colson	Charlton Heston	Mitch McConnell	Phyllis Schlafly
John Ashcroft	Tom DeLay	Kay Coles James	Oliver North	Jay Sekulow
Gary Bauer	Jerry Falwell	John Kasich	Dan Quayle	Bob Smith
Bill Bright	Steve Forbes	Rabbi Daniel Lapin	Ralph Reed	J.C. Watts
	Newt Gingrich	Trent Lott	Pat Robertson	

I look forward to seeing you there.

Randy Tate

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Ads Alone Won't Stop Drugs

As John P. Walters and James F. X. O'Gara point out, President Clinton's $1 billion taxpayer-funded anti-drug advertising campaign is not unwelcome; however, to "say drug use is intolerable but fail to act effectively to stop and punish those who sell and use drugs" is counterproductive nonsense ("Advertising Ineptitude," July 27).

As the authors point out, Baltimore, under Mayor Kurt Schmoke, is "distributing clean needles to addicts," one of many government entities to do so. You cannot be discouraging drug use through ads and facilitating drug use through needle distribution simultaneously.

James L. Curtis, a professor of psychiatry and director of addiction services at the Harlem Hospital Center, calls needle-exchange programs (NEPs) "simplistic nonsense that stands common sense on its head," warning the exchanges "hurt not only individual addicts but also poor and minority communities."

Formerly isolated addicts gather for syringe swaps and learn where to acquire new supplies. Since police are often ordered not to harass addicts at the exchanges, they become safe zones for drug pushers as well as drug users, a one-stop-shopping center for addiction. In many of the more than 100 NEPs in America, users are given a variety of drug paraphernalia, such as pans for cooking heroin.

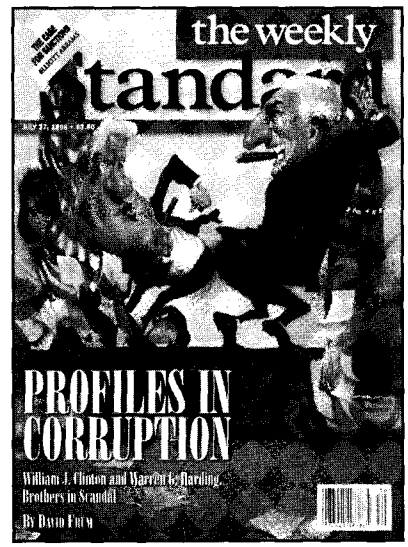
A delegation from drug czar Barry McCaffrey's office returned from Vancouver, which has the largest NEP in North America, in early April with the news that despite more than 2.5 million clean needles being given out annually, deaths from drug overdoses and HIV prevalence have increased. Their report concluded: "Vancouver is literally swamped with drugs. With an at-risk population without access to drug treatment, needle exchange appears to be nothing more than a facilitator for drug use."

Janet Lapey of Drug Watch International observes that needle-exchange programs often become "buyer's clubs" for addicts, concentrating formerly isolated addicts into a marketing bonanza for dealers. And drug use carries risks other than HIV infection. A recent article in the *Journal of the American Medical Association* warned of the arrival of "black-tar heroin," heroin cut with dirt and shoe polish, which can cause paralysis and agonizing death, even when injected with a so-called "clean" needle.

DANIEL JOHN SOBIESKI
CHICAGO, IL

More Conspiracy Theory

We strenuously object to your mis-characterization of our



work in your recent editorial ("A Juicy Scandal," July 20).

We do not claim, as you falsely suggest, that *Newsweek*'s "deliberate, knowing falsehood" was related to its description of the "talking points" as "typed."

Rather, what we *do* claim was deliberate and knowing was *Newsweek*'s possession of exclusive evidence (an unpublished letter to the editors dated August 14, 1997) that Tripp did not believe Kathleen Willey's account of her meeting with the president, the very predicate of the talking points.

The ellipsis you misleadingly apply to our suggestion that Michael Isikoff "might be considered a contributor" carries from our core analysis—a lawyer, a confidante, and Linda Tripp—to an appended section wherein we try to anticipate objections to our work and acknowledge other more complicated possibilities for the creation of the talking points.

You declare that "The University of Southwestern Louisiana English Department has not answered and cannot answer the Whitewater/Lewinsky scandals' cardinal questions." The cardinal question in the Lewinsky matter, as the office of the independent counsel's extension of authority demonstrates, relates to "obstruction of due administration of justice" and "any person or entity who has engaged in unlawful conspiracy."

Our reading of the talking points strongly supports that conclusion. Yes, this is about obstruction of justice; yes, this is about conspiracy. But if ours is a fair reading, not presidential obstruction; not a conspiracy *by* the president, but a conspiracy *against* him.

JACK GILLIS
SKIP FOX
UNIVERSITY OF SOUTHWESTERN LOUISIANA
LAFAYETTE, LA

THE EDITORS RESPOND: ***For clarity's sake, we should remind our readers that these two gentlemen are the authors of a series of essays, posted in June on Mr. Gillis's Internet home page, about the Lewinsky scandal. One of those essays contended that* Newsweek*'s early reporting on the famous Linda Tripp talking points was a "deliberate, knowing falsehood." To support this accusation, Gillis and Fox first—and at considerable length—debunked the news magazine's initial description of the talking points as "typed"; the document was produced on a computer keyboard. This was not a trivial nuance, the two men's Internet exercise insisted.* Newsweek *was here guilty of "a flat untruth" with "important implications."***

In their letter, above, Gillis and Fox deny having based their criticism of* Newsweek *on the magazine's use of the word "typed." Sorry. We stand by our account of their work, in this and every other respect.

Linda Tripp's "unpublished" letter to* Newsweek*—which Gillis and Fox

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know about from Newsweek*'s own reporting—proves nothing about the origins or purpose of the talking points. It is not news that Tripp disbelieved Willey's account of her state of mind after the president allegedly groped her in the Oval Office; Tripp disputed Willey's version of the event a year ago in an interview with* Newsweek*'s Michael Isikoff.*

Gillis and Fox did originally write, as we reported, that Isikoff "might be considered a contributor" to the talking points. They acknowledge as much, above.

But they do not acknowledge having also written that "neither Lewinsky nor the 'president's men' could have drafted" the talking points. And for good reason. Gillis and Fox have advanced the theory, which they now reaffirm, that the talking points are bogus: incriminating evidence manufactured by the president's enemies. Last week, of course, this theory was blown to smithereens. Monica Lewinsky has made a deal with the independent counsel. She will shortly tell the grand jury that no enemy of the president wrote the talking points. She did.

Feminist Paradise

Now feminists defend Rosa Marie Hartford, who carried an unrelated 13-year-old girl across state lines for an abortion that would destroy the evidence that Hartford's 18-year-old son raped and impregnated the young girl after getting her drunk ("'Responsible Adults' and Abortion," July 27).

In defending Hartford, feminists have made it clear that they will also wink at rape—even the rape of children—in return for the right to abortion.

What a lovely new world they're building.

GLENN SHELLER
PICKERINGTON, OH

Hold the Champagne

Fred Barnes chuckles about Republicans who don't appreciate their victories ("Happy Days Are Here," July 27). Unfortunately, he only has what my old uncle called his "shootin' eye" open—he is right-on about the victories, but he joins most other conservatives in being blind to a perspective that, if missed, threatens to beach the conservative movement.

It isn't new: Teddy Roosevelt spoke of it when he said, "This Country will not be a permanently good place for any of us to live, unless we make it a reasonably good place for all of us to live."

We must open our other eye and begin seeing and speaking to all Americans. We must follow up with health care, the balanced budget, welfare, Social Security, and education reform.

If we don't follow up, the Republican party's time in power may be short because unconsolidated gains are easily uprooted or perverted. So let's hold off on the celebration for a while.

WENDELL JENNINGS
GRAND BLANC, MI

Abandoning Taiwan

Matthew Rees writes that President Clinton's public declaration of Beijing's "three no's" policy "signaled a subtle yet significant shift in the American posture toward Taiwan" ("GOP Taiwanabees," July 20). That's putting it mildly.

Actually, Clinton made a major diplomatic blunder by coming down blatantly on the side of the People's Republic of China, a one-party dictatorship that has made no secret of its desire to absorb democratic Taiwan.

Consider Clinton's exact words: "Our country recognized China and embraced a 'one-China' policy almost 20 years ago." In truth, while the United States did recognize the government of the PRC as the sole, legitimate government of China in 1979, it merely "acknowledged the Chinese position that there is but one China, and Taiwan is part of China."

The president made matters worse by capitulating on two further points, placing the United States squarely against "independence for Taiwan" and its "membership in any organization for which statehood is a requirement." The official U.S. position, beginning in 1982, had been that the United States had no intention of pursuing a policy of "two Chinas" or "one China and one Taiwan."

There is a world of difference between saying, "We have no intention to perpetuate the existence of two states," and the Clinton formulation, which all but calls upon Taiwan to accept the embrace of its despotic motherland.

STEVEN W. MOSHER
FALLS CHURCH, VA

The Non-Smoker's Burden

Dennis Prager makes many reasonable points in his article, and I agree with his major premises ("The Anti-Smoking Crusade," July 20). However, I wish that he and other conservatives would make more of an effort to condemn smoking itself and to perhaps try to show a little empathy for the millions of non-smokers of all political persuasions who detest cigarette smoke.

I recall not too many years ago having to work beside chain smokers in a newspaper office. Many days I dreaded going to work, knowing I would have to endure hours of inhaling fumes that stung my eyes, irritated my nostrils, and made my lungs feel as if I were sucking air out of an exhaust pipe.

I am a conservative and all in favor of individual rights, but what about the rights of non-smokers not to have to breathe communally polluted air? I find it extremely hard to feel sorry for "smokers shivering outside buildings." I would rather they were outside shivering than inside exhaling smoke that makes me sick.

JAY FORD
FLORISSANT, CO

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Arab-Moslem Fanaticism and Intransigence

Are *they* the root cause of Mid-East turmoil?

For the last five decades, the world has been convinced, mostly because of unrelenting Arab propaganda, that the conflict between Israel and the "Palestinians" is the root cause of the constant turmoil in the Middle East and that Israel should make "concessions" to the Arabs. But is that the *real* reason for the turmoil and for the violence? Or is there another much deeper, more fundamental reason behind it?

What are the facts?

Islam's hatred against the West. We Americans are reluctant to criticize or even to discuss the religions of others. We consider it a personal matter. But the hatred of the Moslem-Arab world against the West, especially against the United States (the "Great Satan") and Israel (the "Little Satan"), can only be explained by comprehending the psychology and the principal religious tenets of Islam. Islam is a world-wide religion, but it originated in Arabia and it survives in Arabia in its purest form, unaffected by any outside influences. The policies of the Arab countries are dominated by Islam. Islam believes itself to be in possession of the holy truth, in the name of which any act of violence is permitted and encouraged. It is only with that understanding that the acts of savagery, the suicide bombers in Israel, the bombing of the World Trade Center, and other acts of murderous fanaticism all over the world can be explained.

> "The real cause of the never-ending turmoil in the Middle East is the unremitting desire of still most Moslem-Arab states to destroy Israel..."

Decline and rise of the Arab Moslems. For the first six centuries after the Moslems spilled forth from Arabia, they conquered much of the world. The Arab Moslems did in their ascendancy give rise to a substantial civilization. But, beginning with their expulsion from Spain, a long decline set in that lasted until the early 20th century. That decline was the more bitter, because it was inflicted by the despised "infidels." It was something that had to be remedied by whatever means. Injured pride had to be salved; the enemies who caused this humiliation and this injury had to be destroyed.

The 20th century brought national independence to the Arab states. Two other fundamental events occurred: 1) The discovery of the world's largest oil deposits under the Arabian peninsula, and 2) The creation, in 1948, of the state of Israel, which ever since its birth has been the concentrated focus of the hatred and venom of all Moslem Arabs, a hatred that unites them, that even surpasses their hatreds against each other, and that has launched them into five disastrous wars against Israel. Even the rape of Kuwait by Saddam Hussein's Iraq was explained as being a step towards the "liberation of Palestine," a claim so bizarre, so patently absurd, that it can only be comprehended and given credence by a mind obsessed with the ideology of Arab Islam.

Moslem Arabs obsessed with Israel. The obsession of the Moslem Arabs with Israel is totally irrational. To have Israel as an independent country in the middle of the Arab-Moslem world is utterly intolerable to them. That is the reason that, making allowance for the very cold peace with Egypt and the recently concluded peace with Jordan, the 21 Arab states, among them the richest countries in the world, with a combined population of more than 200 million and with a land area greater than that of the U.S., have concentrated obsessive ferocity by military, economic, ideological, political, diplomatic, and any other means to destroy the tiny Jewish community of Palestine, and its successor, the Jewish state of Israel—only 5 million people, in a country just one-half the size of San Bernardino County in California.

Acts of terror in the United States, Argentina, England, and Israel have sobered many who had believed the Israeli-Palestinian conflict to be the cause for the unrest in the Middle East. The fact is that war is endemic in the Arab world and that the Moslem Arabs have been waging war against each other and against their non-Arab neighbors for centuries. But, as much as the Moslem Arabs hate each other, most of them are united in their greater hatred against the "infidel Jews" and their tiny country, and they have built vast war machines for the ultimate "jihad" to nuke the Jews, to poison them by chemicals or biologicals, or to chase them into the sea. The focus on the Palestinian plight is designed to divert attention from the many domestic problems and inter-Arab conflicts, and to direct the Moslem-Arab frustration against Israel, the "infidel Western outsider." The suggestion that Israel divest itself from its historic heartland, the 2,362 sq. mi. "West Bank," and from the Golan would lead to strategic suicide. The real cause of the never-ending turmoil in the Middle East is the unremitting desire of still most of the Arab-Moslem states to destroy Israel, their inability to come to terms with its very existence. That hatred and that intolerance are fueled by Arab-Moslem fanaticism and intransigence and unwillingness to accept diversity in the region. Only when that will be overcome can peace and tranquility finally come to the Middle East.

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the weekly Standard

Bill Clinton's Narcissism

It turns out, just as we always suspected, that Bill Clinton really is human, after all. He has appeared vaguely inhuman, of course, to friend and foe alike, through much of his career. For his dazzled admirers, he has been a comic-book hero made real, a public figure of para-normal steel and skill, able to make unfathomably complicated political calculations faster than a speeding bullet—and thereby to leap tall obstacles of fact and logic in a single bound. For his most horrified detractors, this very same quality has made Clinton something dark as night, but every bit as awe-inspiring: an unstoppable engine of deceit, a force more potent than Truth itself.

Here at The Weekly Standard, needless to say, we have consistently been inclined to the view that Bill Clinton is an uncommon liar. But we have never been prepared to concede that there was anything supernatural, unconquerable, about the lies themselves. There are some things in life, in certain circumstances, that no man can talk his way out of. And for the president, we have always thought, Monica Lewinsky would prove such a case. There would come a time when the size and scope of this particular lie exhausted even Clinton's considerable powers of deception. He would make a choice that led inexorably to the place he most feared to go: exposure.

That process began last week. The president agreed to submit to detailed questioning about Lewinsky by Kenneth Starr's prosecutors. From the perspective of standard Clinton mythology—which requires him always to land on his feet—it was a decision that made little sense at all.

For most of this year, following his initial, sweeping denial, the president has pursued a remarkably successful strategy of silence and delay. He has dared the country at large to disbelieve him. And he has employed an arsenal of aides and attorneys—armed with lurid smears and ludicrous legal arguments—to deter the independent counsel from collecting "proof" that he *should* be disbelieved. In their bones, it seems fairly clear, most Americans stopped believing Bill Clinton some time ago. But so long as his innocence has remained *theoretically* possible, so long as apparently serious people in suits and ties have battled on his behalf, most Americans have also been prepared to submerge their suspicions and hope for the best. No rational person pleasurably contemplates the chaos of a crippled presidency.

Faced with Ken Starr's July 17 subpoena, Clinton might well have persisted in such a plan and continued to benefit from national discomfort with the scandal. He might, in ostentatious "good faith," have bargained over his testimony with Starr—only in the end to resist the demands of an "out of control" prosecutor. He might have ignored, as constitutionally unenforceable, any resulting contempt-of-court citation. He might, for that matter, have preemptively litigated Starr's subpoena. The only purpose of such compelled testimony, the Justice Department would presumably have contended, is to support an indictment of the president, in advance of impeachment. Which the Constitution, again, may not allow.

True, Clinton might ultimately have lost all these arguments. But each would have touched on a genuinely unresolved and serious question of law. Much stupider and more cynical stuff has worked well for the president before—in the polls and, at least where stalling is concerned, in the courts.

And yet he did not take this obvious chance. He acquiesced instead. Clinton will finally speak, "voluntarily" but under oath, two weeks from now on August 17. Why? Is near-term testimony, on penalty of (renewed) perjury, his safest bet for long-term legal and political security? It most definitely is not. Our guess is that this bargain with Starr was driven not so much by the president's allegedly infallible instinct for public survival, but by more immediate, almost pitiably personal impulses.

For all his surface bravado and calm, Clinton is actually a weak and desperate fellow. He is a narcissist; "The Big He," Monica Lewinsky called him, indelibly. The narcissist must issue even the grossest boasts, even the pettiest chicaneries, on a round-the-

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clock basis. (*I know more about farming than any other president in history. I didn't inhale.*) The narcissist must lie this way to protect his heart's true object: the fiction of his own perfection. He must see that perfection reflected in the fantasy-enabling eyes of those around him. And if he sees grave doubt in those eyes, instead, the bubble is burst and his identity collapses. Last week, Bill Clinton could not help but see doubt.

When Monica Lewinsky made a deal to provide her own grand-jury testimony last week, the conclusion of this scandal came at last into view. Yes, indeed, the few remaining investigative leads would soon be tied down. Yes, indeed, an authoritative account of the investigation, Starr's long-awaited report to Congress, would soon be delivered. And how did Clinton's loyalists always assume he would handle this inevitable end game? What did Hillary and his lawyers—and Sid Blumenthal and Geraldo Rivera and all the other assorted dupes and doofuses—expect the president to do in the exciting final reel?

They expected him to perform his legendary verbal magic tricks once more, and explain it all away. The Starr subpoena was Clinton's cue for such an act. Had he missed it, he would have tacitly confirmed that the whole thing was a giant, hideous fib. That there was no exculpatory "alternative theory" for Monica Lewinsky. That he really is just a middle-aged man who committed in-the-office adultery with a 21-year-old intern. And who broke one or more laws—and manipulated the country's government—to conceal the sin.

This our president cannot admit. Ever. If he does, he will reveal his wife and friends for the fools he has made of them, and thus lose the most important thing in life: their weirdly automatic esteem. He *was* losing it, for a moment already, early last week. "People are growing increasingly concerned," one Clinton "adviser" told the *Washington Post*, "about the mound of evidence" against him. That evidence seemed, to these people, nearly "overwhelming."

So to forestall their defection and thus preserve his self-regard for a few more weeks or months, the president has now promised yet another Houdini routine. When he testifies August 17, his handlers vehemently—and convincingly—proclaim, he will stick with his story. But he cannot possibly pull it off.

Monica Lewinsky, after all, risking jail if she doesn't tell the truth, will swear that she *did* have sex with the president. That she *did* discuss with him the

THE CREATION

Michael Ramirez

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construction of a falsified account of their relationship. That she *did*, at his suggestion, evade a subpoena for material evidence of the affair. That one such piece of evidence *did* include a stained and incriminating dress. That he *did* leave otherwise inexplicable answering-machine messages at her home.

This, on top of the already accumulated, corroborating evidence of several dozen grand-jury witnesses and thousands of pieces of paper. It is a circle that cannot be squared. Fresh perjuries by the president can only add more stink.

And when the nation finally—this year, most likely—gets a full-breath whiff of the whole thing? When the Starr report is finally available for inspection, what then? We are still unwilling to predict the practical effect on American politics. Bill Clinton may or may not serve out his term. But, either way, this much we have never been more sure of: The president's Monica Lewinsky lie is doomed. And so therefore, where it matters most to him, is he.

—David Tell, for the Editors

What the GOP Can Reap

by Fred Barnes

The day after Monica Lewinsky turned state's evidence, eight Republican senators gathered for lunch at the Capitol. Most assumed the deepening White House scandals would aid Republicans in House and Senate races this fall. But there was still uneasiness. What's needed to assure GOP success, said one of the senators later, is a comprehensive report from independent counsel Kenneth Starr on the Clinton scandals. A report would put "everything Starr has in one place" and attract enormous attention. Then "the chances of seeing a dramatic drop in President Clinton's popularity and also in Democratic prospects" would be "pretty high." No, the senator said, it wouldn't produce "a Nixonian collapse"—just a drop in Clinton's approval rating from 60 percent to 40 percent, enough to assure Republican pickups.

POLLSTERS HAVE DETECTED A CLEAR GOP TILT GOING INTO ELECTION SEASON. THE MOST MOTIVATED VOTERS ARE THOSE FURIOUS WITH CLINTON.

A report from Starr is now likely this fall, and his staff has looked into making as much of it public as possible without jeopardizing grand-jury secrecy. If Starr doesn't release some or all of the report, the House Judiciary Committee intends to. Yet despite the anticipation, the report probably won't be pivotal in the campaign. Why? Simply because the Clinton scandals have already taken their toll. Democratic and Republican strategists have detected a clear GOP tilt, based largely on expected turnout this fall. The most motivated voters, those all but certain to go to the polls, are the ones furious with Clinton. They aren't happy with congressional Republicans either, but they're ready to register a protest against Clinton on Election Day by voting against Democratic candidates. Democratic voters? Good economic times have made them content and thus less motivated to vote.

Extensive polling and intricate cross-tabulations—not speculation or guesswork—have uncovered the Republican edge. Bob Beckel, who managed Walter Mondale's presidential campaign in 1984, and a group of Democratic researchers examined hundreds of key precincts across the country this summer. Strong anti-Clinton sentiments "have deepened, become more negative, and turned to anger," Beckel says. "Angry people vote." Clinton's involvement with Monica Lewinsky "is the event that has confirmed everything these voters believe" about the president. The scandals "always had the potential of not being just a Clinton problem but a party problem." Now it's happened, Beckel says. They've "become a party problem."

Beckel's research was aimed at determining who will actually vote this fall. Three types of precincts were studied: reliable Democratic ones, reliable Republican ones, and "persuadable" or swing precincts. Voters were asked to put themselves in one of five categories: certain to vote, likely to, 50-50, unlikely, or won't vote. Those who answered 50-50 and below were tossed out as probable non-voters, especially in an election with no presidential contest. The "least engaged voters" were found in the swing precincts, where low turnout is expected. In Demo-

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cratic precincts, Beckel says, "the irony is the good economy has lessened their interest in voting. You've got a content electorate except for people who hate Bill Clinton."

People who strongly disapprove of Clinton are only 25 percent to 35 percent of the population, according to Beckel. But they've been voting in disproportionate numbers, mostly because of their loathing of Clinton. "There was a blip up in '94 in those [Republican] districts," Beckel says. "I'm concluding the intensity factor of the negatives on Clinton is higher now than it was in '94." And the 1994 election was a GOP landslide. Republicans captured the House, the Senate, and a dozen new governorships. That won't be repeated, Beckel says, but only because most Democratic incumbents are in safe seats.

Beckel's findings gibe with those of some, but not all, pollsters and strategists active in congressional campaigns. Republican pollster Linda DiVall says the Clinton scandals help the GOP "substantially, in terms of giving us a turnout advantage." Voters, she insists, are more concerned about Clinton's personal behavior than is generally believed. This is especially true of women, even more so of women over 60.

Furthermore, the scandals put a cloud over Democratic campaigns. "It's harder for Democrats to make the case you need to elect a Democratic Congress," DiVall says. Voters increasingly have qualms about turning Washington over to Democrats led by a scandal-plagued president.

Alan Secrest, a Democratic pollster working in two dozen House races, says he hasn't detected fallout in congressional races from the Clinton scandals. But Democrats are "whistling past the graveyard" if they assume there won't be an impact. The slowing economy or a dip in national confidence could trigger concerns about Clinton's ability to offer strong (and moral) leadership, says Secrest. John Morgan, the Republican analyst who accurately predicted the 1994 sweep, believes distaste for Clinton in once-Democratic rural areas is more intense today than ever. Plus, "the Clinton scandals are taking it into the suburbs." Morgan is unsure how much the scandals will ultimately help Republicans. If Clinton's conduct "really erupts" as the dominant issue this fall, Republicans could win more than 30 House seats and a half-dozen in the Senate, he says.

The Starr report would have to be truly explosive—new revelations, ripe details, hard evidence—to cause such an eruption. That's not likely. And there's a potential problem for Republicans in relying on the report and the scandal itself in the campaign. Should Republicans "over-moralize" in attacking Clinton, they'll succeed chiefly in rousing Democrats to vote, Beckel says. Secrest characterizes this as "a viable alternative theory" about turnout in November. DiVall argues Republicans still need to lay out an agenda. Otherwise, Clinton could outmaneuver them by admitting he's done wrong, asking the American people for forgiveness, and vowing to devote his final years to important issues facing America. With that, "the case would probably be closed," says DiVall. And even a stinging report might not resurrect it.

Fred Barnes is executive editor of THE WEEKLY STANDARD *and co-host of* **The Beltway Boys** *on the Fox News Channel.*

GERALDO PLAYS HARDBALL

by Jay Nordlinger

WHO IS THE LEADING CLINTON APOLOGIST on television? None other than Geraldo Rivera, who has spent 1998 mauling Kenneth Starr and swathing the president in sympathy. And who is television's foremost Clinton attacker? Almost certainly Chris Matthews, who rides the president relentlessly, appalled that the man is still standing. Rivera and Matthews are the antipodes of prime-time scandal coverage. And they perform their acts on the same network, an hour apart, with identical zeal.

Rivera, of course, has been a star since the 1970s, when he was ABC's investigative bad boy. After a decade in the swamps of "tabloid TV," he is now host of *Rivera Live* on cable's CNBC. Matthews, on the other hand, rose to fame as Tip O'Neill's chief political lieutenant, when the Massachusetts Democrat was flaying Ronald Reagan as the enemy of decency and peace. Now Matthews holds forth on his nightly *Hardball*, dissecting Clinton and scolding Democrats who dare make excuses for him. Neither Rivera nor Matthews seemed destined for his present role.

Rivera is as wildly pro-Clinton as any White House spin artist, a suaver, hairier James Carville. He summed up his view of the scandal on the *Tonight Show*: "It's all about sex. Whitewater? They tried it,

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came up with nothing. Travelgate? Nothing. Filegate? Nothing. All they have is this purported semi-neo-almost-quasi sex," followed by a few harmless fibs. "What man is not going to lie about it?" Besides, it is only "Hillary's business, not the grand jury's business." Starr, he has sneered, is "vile."

Rivera has worked diligently to recast himself as a serious political journalist, but he is still a compulsive entertainer. On a recent show, he featured a little song that began, "Twinkle, twinkle, Kenneth Starr, now we see how crude you are." (It continued with a line about "kissing the treacherous Tripp.") He has made minor celebrities out of Hillary-style conspiracy theorists and denounced mainstream news publications for "suckling leaks" from the independent counsel. As for the notion of the Lewinsky affair as a "crime," even an "alleged" one—why, "I wanna barf."

Kevin Chadwick

When discussion turns to matters carnal, Rivera is apt to go into what scandal matriarch Lucianne Goldberg calls "full scrotal torque." He chronicled his amorous doings in his 1991 memoir *Exposing Myself*, an account that makes the president's record seem almost Puritan. Amateur Freuds suspect that Rivera sees in Clinton a kindred spirit, chafing at the strictures of square society. Rivera has instructed his audience, "There is law and there is life. In life, a handsome, married man of a certain age, home alone behind closed doors with an obviously infatuated and attractive young woman, would clearly be creating the appearance of a brief clandestine liaison, also known as a quickie. But law is not life"—and Clinton, Rivera maintains, is guilty of nothing worth prosecuting.

This is why the White House awarded Rivera a sugarplum during the president's visit to China. Press secretary Mike McCurry arranged for Rivera to have an exclusive interview with Clinton. As McCurry put it to *TV Guide*, "When it comes to the scandal stuff, Geraldo has been as open-minded as you would want a journalist to be. We notice things like that." So "open-minded" is Rivera, in fact, that when Monica Lewinsky concluded an immunity deal with the independent counsel—causing the White House to reel—he declared, "The president benefits." The ex-intern, you see, had at long last "triumphed over Ken Starr." Such is the wisdom on *Rivera Live*.

Chris Matthews, meanwhile, is unlikely to be huddling with the president any time soon. Night after night, Matthews inveighs against Clinton, decrying hypocrisy, warning against complacency, and laughing openly at Democrats who recite the administration line. He has no tolerance for what he terms "flackery." And his capacity for outrage seems inexhaustible. In great rushes of words (the guests on *Hardball* are mainly decoration), Matthews chases a single, overarching theme: The president has done wrong; it is not a matter of left and right; he should be held accountable.

Matthews does not have the résumé of a typical Clinton antagonist. He grew up in North Philadelphia, the grandson of a Democratic committeeman. After college at Holy Cross, he joined the Peace Corps, serving in Swaziland, then ventured to Capitol Hill, where he worked one shift as a policeman, another as a congressional aide. He later signed up with Ralph Nader, ran for Congress himself (losing in the primary), took a job with Ed Muskie, and wrote speeches for Jimmy Carter, before assuming his post with O'Neill. In both 1992 and 1996, he voted for Clinton—a fact he does not regret. "He's more like me politically than anyone would believe," Matthews says, "though we wound up where we are for very different reasons."

Matthews contends that the struggle over Clinton reflects "a fair amount of *Kulturkampf*." In Clinton, there is "a '60s sensibility," a disrespect for tradition "that you glimpse in things like renting out the Lin-

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coln Bedroom, staffing the White House with kids, cultivating an environment of insolence." Clinton harbors "a lack of reverence bordering on contempt," and he fails to understand the importance of "representing the nation as head of state." Matthews—in his populist mode—discerns a shameful alliance between "wealthy Republicans who are comfortable and self-satisfied and uninterested in morality" and "the cultural Left": "Just as it suits the Frank Riches and Charles Grodins to defend all manner of behavior as long as it's related to sexual life—which they hold sacred—it suits rich Republicans to keep their eye on the Dow."

So too, Matthews does not conceal his horror that a president would engage in sex with an intern, noting that he himself has interns, who admire him and depend on him. Does he expect that the experience of 1998 will radicalize him, perhaps driving him into conservative arms? He is at times troubled by "the company I keep," but takes courage from fellow journalists Tim Russert, Maureen Dowd, Michael Kelly, Mark Shields, and even Mary McGrory—"all moderate Democrats"—who have "raised their voices, to varying degrees, against Clinton." Matthews says that his position derives solely from "a love of truth, and the belief that every journalist has some commitment to screaming the truth, if he's lucky enough to find a glimmer of it."

For its part, CNBC is delighted with its dueling scandal jockeys, planning to give Rivera an additional half-hour each night. The young network's prime-time ratings have almost doubled since the Monica Era dawned, and the public—no matter what the polls indicate—has not lost its appetite for the story. If anything, according to CNBC officials, Americans are growing hungrier.

Geraldo Rivera has profited nicely from what he regards as much ado about nothing. And Chris Matthews has profited nicely, too—from his noisy ado about something. Rivera has argued that "this is nothing but a sex and a sex-lie case." Matthews could not disagree more strenuously—because "ultimately, we are talking about what kind of country we want to live in."

Jay Nordlinger is associate editor of THE WEEKLY STANDARD.

IN FROM THE FRINGE

by Tucker Carlson

Palatine, Ill.

FOR MAINSTREAM REPUBLICANS from Illinois, Al Salvi is the archetypal right-winger. He achieved this standing in 1996, when, as a little-known state legislator, he beat Illinois lieutenant governor Bob Kustra in the GOP primary, then went on to lose the race for an open seat in the U.S. Senate. Kustra was a pro-choice moderate and the favorite of state party officials. Salvi was a fanatically anti-abortion lapel-grabber with a fetish for guns—a perfect candidate, in other words, for the activists who decide Republican primaries, but an unacceptable wacko in the eyes of party moderates and the general electorate. So, at any rate, goes the conventional wisdom.

It's been almost two years since Salvi lost that Senate seat to Dick Durbin, but Illinois Republicans can't stop talking about him. History, they fear, is repeating itself. Peter Fitzgerald, this year's Republican nominee in the race against Sen. Carol Moseley-Braun, is another socially conservative state legislator. Like Salvi, Fitzgerald is young, ideological, and rich enough to finance his own campaign. Like Salvi, Fitzgerald defeated his pro-choice opponent in a nasty primary campaign and now faces a liberal Democrat popular with women.

Agitated party elders, who had hoped to put an Illinois Republican in the Senate for the first time since 1984, think they know what's going to happen next. "If we lose this one," a Republican political operative explained to the *Chicago Tribune*, "then we lose the right to run a conservative statewide for a generation." During the primary, former senator Bob Dole did his best to prevent a conservative from running at all. While stumping around the state for Fitzgerald's opponent, Dole described Fitzgerald as a "fringe" candidate from the "far right" and predicted that Carol Moseley-Braun would be "saying a few prayers" for his victory. When Fitzgerald did win this March, an Associated Press headline described his nomination as "badly needed good news" for Democrats.

Democrats shouldn't start celebrating just yet. Fitzgerald is indeed conservative, but his views are hardly the political millstone the headline-writers imagine. Fitzgerald strongly opposes both abortion and gay marriage. On the other hand, so do many Illinois Democrats, including gubernatorial nominee Glenn Poshard, who frequently campaigns with Moseley-Braun. And while Fitzgerald has expressed

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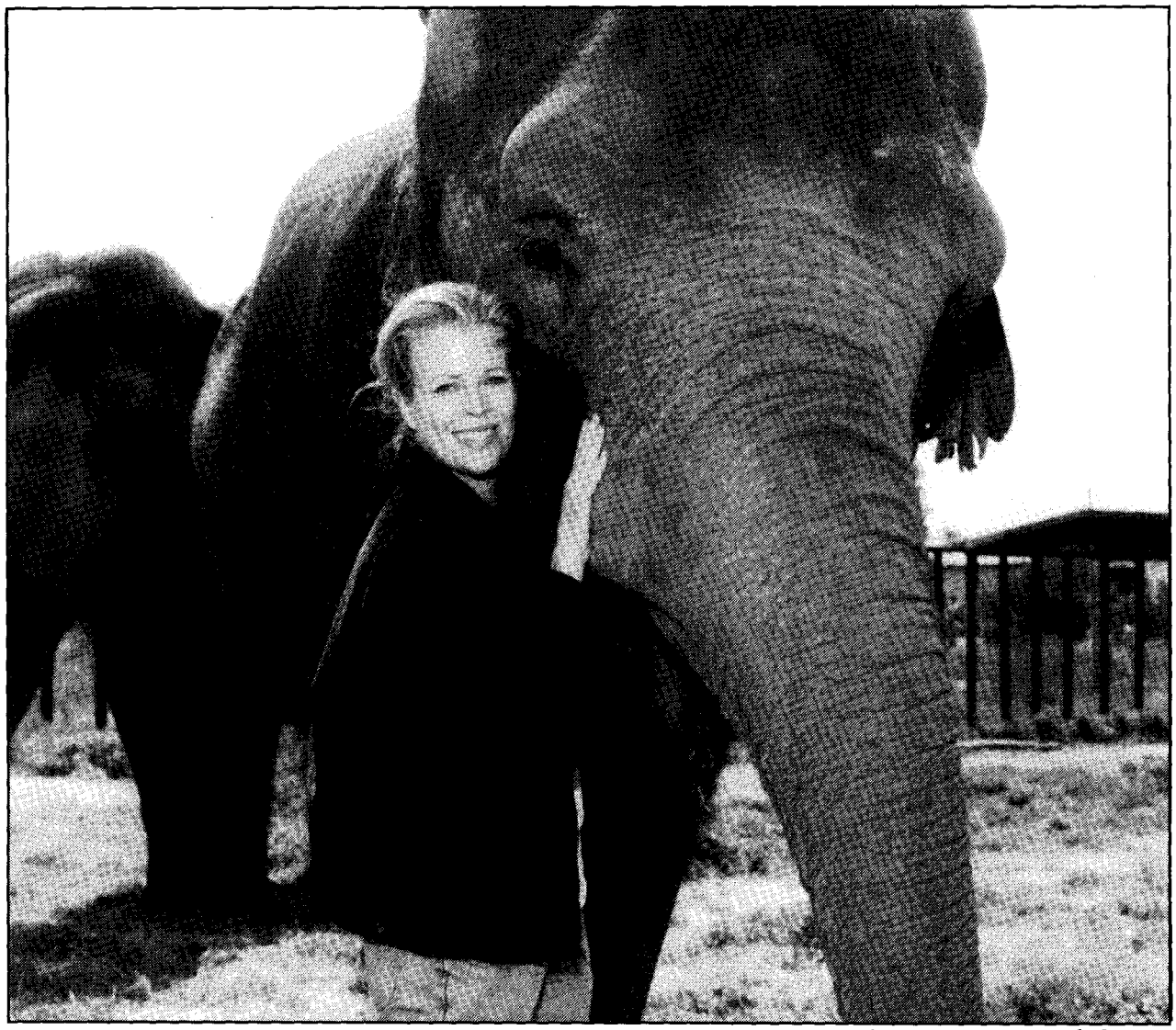

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enthusiasm for liberalized concealed-weapons laws, he has also endorsed the assault-weapons ban and the Brady Bill and has made a point of accepting no money from the NRA. He is in favor of term limits, wants to fix Social Security, supports more federal funding for highways, and in general appears to have perfectly mainstream Republican views on politics and government.

As significant, Fitzgerald doesn't come across as an extremist. A 37-year-old married lawyer from suburban Chicago, he majored in Latin and Greek at Dartmouth and has the calm, slightly dorky demeanor of the bank executive he once was. Which is to say, he couldn't be more different from Al Salvi, who in one particularly spectacular display of recklessness shortly before the 1996 election wrongly accused gunshot victim and Durbin ally James Brady of having been a machine-gun dealer. ("Turns out that was a different Jim Brady," Salvi explained to reporters the next day.) Salvi often came off as rash, and if there is one lesson from his defeat it is that temperament matters to Illinois voters, probably even more than ideology. Salvi lost not because he was perceived as a wild-eyed right-winger, but because he just seemed wild-eyed.

Kent Lemon

Peter Fitzgerald

No one, by contrast, is going to accuse Fitzgerald of lacking polish or self-control. "He was very level-headed, mainstream, not given to wild schemes," says author Dinesh D'Souza, who knew Fitzgerald at Dartmouth. A former editor of the conservative *Dartmouth Review*, D'Souza says that Fitzgerald "had far too much sense" to join the famously belligerent paper. "He looked on our activities with wry amusement, but he knew better than to be publicly associated with us. Even in those days, he was a crafty fellow, looking ahead."

By all accounts, Fitzgerald has gotten craftier, or at least more politically sophisticated. "Peter is a thoroughly modern political candidate," explains one of his advisers, which in this election means he has spent relatively few days on the road giving speeches and a great deal of time on the phone raising money. "The old-fashioned Rotary Club, press-the-flesh technique," explains the adviser, "doesn't move the numbers very much." What does move numbers is political advertising, and Fitzgerald is prepared to pay for lots of it. In the primary alone, the Fitzgerald campaign spent more than $7 million, most of it from the candidate himself. Moseley-Braun, meanwhile, struggled until recently just to settle her 1992 campaign debts. By the beginning of this year, her campaign had less than $370,000 in the bank, pathetic for an incumbent.

And fund-raising is the least of the senator's problems. Complaints from former supporters about Moseley-Braun's behavior began almost immediately after her election and reached wide currency in 1996, when she made the last of at least six trips to Nigeria. Her final visit drew scolding from the State Department and human-rights groups when it emerged that she had conducted her own, unauthorized diplomacy with the late homicidal strongman Sani Abacha.

Most recently, a Chicago television station reported that Moseley-Braun has been the subject of two separate IRS investigations stemming from the 1992 election. During the campaign, investigators discovered, Moseley-Braun and her boyfriend, a former African National Congress operative from South Africa named Kgosie Matthews, spent close to $300,000 in what appeared to be campaign funds on personal items. The charges included $12,000 worth of stereo equipment, $18,000 in jewelry, and $70,000 for designer clothing. Days after her victory, Matthews and Moseley-Braun flew to Hawaii at the campaign's expense, dropping $4,000 at a Maui hotel.

Moseley-Braun has denied any wrongdoing, and so far the Justice Department, at the behest of a Clinton-appointed assistant attorney general, has declined IRS requests to open a criminal probe into her finances. (Federal investigators would, however, like to speak to Kgosie Matthews, but he has disappeared, reportedly back to South Africa and his two wives.) But the lack of an indictment hasn't eliminated the ethical odor that surrounds her office. At this point

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she and Fitzgerald are virtually tied in the polls.

As things now stand, Carol Moseley-Braun may well lose the election. If she does, Peter Fitzgerald will not only defeat one of Washington's greatest mediocrities, but also lay to rest the legend of Al Salvi.

Tucker Carlson is a staff writer for THE WEEKLY STANDARD.

THE LAWYERS' PARTY

by Matthew Rees

ON JUNE 16, the Senate considered a proposal to cap at $4,000 per hour the amount plaintiff's attorneys can charge in tobacco litigation. It was a revealing moment: What would anti-tobacco Democrats do? By voting for the cap, they could increase the tobacco bill's chances of passage and avoid the embarrassment of opposing a reasonable limit on lawyers' fees. But they would also enrage staunch Democratic allies, the trial lawyers, who were chomping at the bit to earn hourly fees in the tens of thousands of dollars for tobacco work.

In the end, 40 of the 44 Democratic senators opposed the cap on lawyers' fees (though the amendment passed; the bill was later defeated). In this, they were true to form. Democrats have consistently refused to cross the trial lawyers in votes this year, on tobacco, health care, and product liability. In fact, never before have the Democrats crafted so much of their agenda around issues advantageous to the trial bar.

DEMOCRATIC OPPOSITION TO THE $4,000-PER-HOUR CAP ON FEES SHOWCASES THE PARTY'S DEPENDENCE ON TRIAL LAWYERS.

There's a simple explanation: Trial lawyers are one of the Democratic party's most reliable sources of campaign money. In 1995-96, the Association of Trial Lawyers of America (ATLA), the trial lawyers' primary advocacy group, doled out $2.3 million in federal campaign contributions, making it America's fourth most generous political action committee. Eighty-nine percent of its money went to Democrats. But ATLA's spending doesn't tell the whole story. An analysis by the Virginia-based State Affairs Company found that in 1995-96 the combined federal contributions of individual trial lawyers totaled more than $24 million, the vast majority of it given to Democrats. For comparison, tobacco companies gave only $10 million during the same period, 80 percent of it to Republicans, while the computer industry gave $7 million, 54 percent to Republicans.

The Democrats' coziness with the trial lawyers has long been a target for the GOP, though less so than their ties to labor unions. That's beginning to change. A senior Republican strategist calls the trial lawyers "the Democrats' NRA," adding, "They're an absolutist group, and whenever you're against such a group, you have a lot of cards you can play." GOP pollster Frank Luntz says it is "almost impossible to go too far when it comes to demonizing trial lawyers."

In Congress, the trial lawyers' influence has eroded in the last four years. Sensing this, Republicans have moved to reform securities litigation and punitive-damage awards. Even more threatening to the trial lawyers is a proposal by Sen. Mitch McConnell and Rep. Dick Armey to reform auto insurance, which would limit "pain and suffering" damages—a cash cow for plaintiff's attorneys. Victor Schwartz, a tort lawyer at Crowell & Moring in Washington who supports the reform, believes the trial lawyers still have enough clout to stave it off. But if it did become law, says Schwartz, it would plant a "dagger in the heart of the trial bar."

The GOP seized another opportunity when Democrats introduced a health-care bill with a feature that would allow patients to sue their health-care providers. This proposal—so novel that not even a recent Clinton administration health-care commission had recommended it—would be a gold mine for trial lawyers. Newt Gingrich sounded the alarm: The trial lawyers were "seeking to enrich themselves at the expense of everybody else in this country." In the same vein, the GOP mocks the Democrats' "patients' bill of rights" as the "lawyers' right to bill."

In addition to engaging Democrats over legislation, Republicans are looking to make trial lawyers an issue in this year's elections. Steve Law of the Senate GOP campaign committee predicts Republicans will be running ads this fall using the Democratic opposition to the $4,000-per-hour cap to showcase the party's dependence on trial lawyers. One state where trial lawyers have become a full-fledged campaign issue is North Carolina. Republican senator Lauch Faircloth

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has been berating his opponent, John Edwards, for making millions as a personal-injury attorney, calling him a "bounty hunter" and a "fat cat" trial lawyer. One of Faircloth's ads asks, "Who's paying for John Edwards's ads? You are."

If Edwards is elected, he will be a key player for the trial lawyers in the next fight over product-liability reform. Already in 1996, the trial lawyers were instrumental in persuading President Clinton to veto a sweeping product-liability overhaul. But the reformers were encouraged to think they could get more limited legislation through Congress this year when the White House endorsed the bill—sponsored by senators Slade Gorton, a Republican, and Jay Rockefeller, a Democrat.

In June, passage of the overhaul looked likely—until the trial lawyers unleashed a lobbying effort that Rockefeller said privately was more aggressive than any he'd ever seen them mount. It was also pretty crafty. The ATLA leadership, along with Ralph Nader, persuaded Democratic senators that the way to defeat the product-liability bill was to change the subject: that is, to insist on offering amendments. As expected, Trent Lott, the Senate majority leader, balked at this. Trial lawyers subsequently ginned up so much pressure on Democrats that when a cloture vote was held, even Rockefeller, the bill's sponsor, voted against ending debate, and the bill died.

Campaign contributions are not the only reason the trial lawyers are so effective at protecting their interests. Schwartz notes that lobbying comes easily to people who spend their careers advocating before judges and juries. Plaintiff's attorneys are skilled at public relations and hyperbole. They derided the product-liability bill as the "Gun Dealers Protection Act," and Schwartz says he's seen them repeatedly use severely injured people to influence members' votes. In addition, they focus narrowly on their own special concerns. Perhaps most valuable of all, one of Washington's most successful lobbyists, Tommy Boggs, is on their side.

Tellingly, a top Boggs deputy, Roger Ballentine, took a senior post in the White House office of legislative affairs earlier this year. Even if the trial lawyers' power has slipped in recent years, they are far from cowed. Given their strength, one senior GOP official argues for following the strategy used by pro-lifers: Forsake big goals and instead spotlight indefensible practices. The legislative battle that exposed the unwillingness of the trial lawyers and their Democratic protectors to contemplate capping legal fees at $4,000 an hour accomplished just that. Republicans, in other words, could do worse than continue to press for common-sense reforms that the trial lawyers and their Democratic friends will look mighty silly opposing.

Matthew Rees is a staff writer for THE WEEKLY STANDARD.

MOBILIZING FOREIGN POLICY

by Lawrence F. Kaplan

YOU CAN'T AVOID THEM. The Mobil Corporation's paid "editorials" have been bombarding readers of the *New York Times* op-ed page for 28 years. Immediately recognizable by their bold-print headlines—"Let's nurture human rights—not dictate them," "Singapore: an orchid in the Pacific," "An argument for the carrot, rather than the stick"—Mobil's issue ads dress up sheer acquisitiveness in democratic idealism. But the significance of the Mobil campaign extends well beyond its contribution to the everyday pollution of public discourse. For on matters of foreign policy, Mobil's principal lines of argument bear an uncomfortable resemblance to those of President Clinton and his diplomatic counselors.

"No responsible individual, corporation or government would condone violations of human rights," declares one Mobil editorial reassuringly. But, as the oil company notes in another ad, "human rights don't just blossom overnight. Rather, they must be nurtured over time in just the right soil—the richer the better." As it happens, this is particularly true of countries where Mobil does business or hopes to in the future. Thus, Mobil assures us that in China "increased contact with U.S. companies and Western values" will conduce to political freedoms. So too in Nigeria, where "we assist in its transition to democracy." The Middle East? "Let American companies go in and talk with Iran, explore opportunities and even negotiate the outlines of a deal." And Vietnam? The normalization of diplomatic relations with our former foe is "like a late winter thaw with its promise of spring."

To be sure, Mobil's reluctance to concede that its search for profits might occasionally conflict with other requirements of humanity is understandable. The rightful goal of the oil industry remains financial gain, not the export of democracy.

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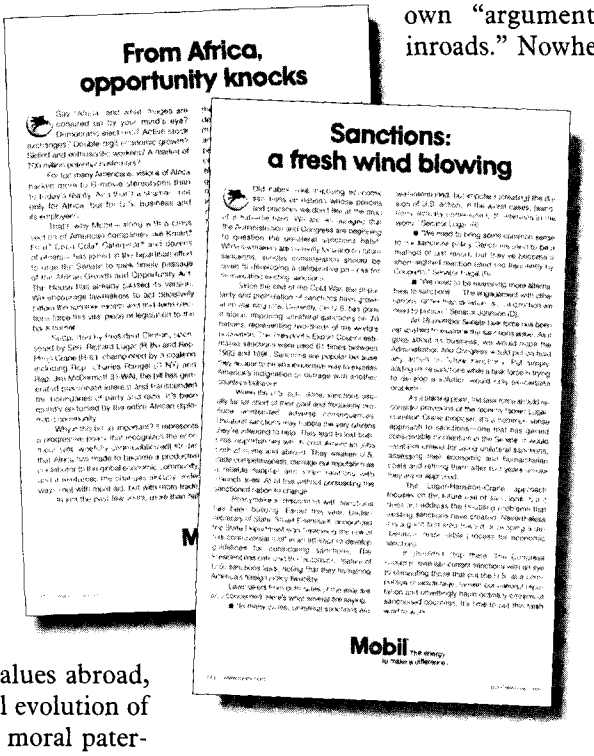
Far more worrisome is the degree to which Mobil's arguments and assumptions read like White House talking points. Platitudes suited to corporate public relations do not, after all, provide a sound basis for foreign policy. There is, to begin with, the mantra of the Mobil editorials: "Global commerce promotes dialogue and prosperity, which together often foster increased political and personal freedoms." A White House prone to conflate economic self-interest and altruism embraces such commercial determinism uncritically. As national security adviser Sandy Berger has explained, "The fellow travelers of the new global economy—computers and modems, faxes and photocopiers, increased contacts and binding contracts—carry with them the seeds of change." Or as President Clinton put it when discussing the most important test case of all: Trade will act as "a force for change in China, exposing China to our ideas and our ideals." What is good for Mobil, you see, is good for America.


From Africa, opportunity knocks

Sanctions: a fresh wind blowing

Mobil

But all this talk of exporting our "ideals" and "freedoms" has its limits. Lest America meddle in the affairs of a country where Mobil invests, the corporation asks, "When the U.S. promotes its values abroad, does it contribute to the political evolution of other nations or is it viewed as moral paternalism?" Mobil's answer, provided in another ad, finds its corollary both in President Clinton's frequently repeated assurance that "we do not seek to impose our vision on others" and in Secretary of State Madeleine Albright's opinion that "if we are to be effective in defending the values we cherish, we must also take into account the perspectives and values of others." Or as Mobil puts it, "Nobody likes to be told their values are inferior to ours. We have every reason to be proud of our democratic system, but that doesn't mean we can simply impose it on all other nations."

Mobil's blend of economic determinism and cultural relativism—and for that matter, the administration's weakness for the same—points to a certain rhetorical inconsistency. For according to the worldview shared by Mobil and the White House, the choice facing American foreign policy is breathtakingly stark. We either engage or isolate. Thus, one Mobil ad admonished the public that we can choose to engage China or "turn [our] backs on a nation that is home to 22 percent of the world's people." (This false dichotomy proved too much even for *Newsweek*, which observed, "That wasn't written in Beijing, but it might as well have been.") Yet Sandy Berger has offered identical advice: "China is home to one-fourth of the world's people, we cannot simply turn our backs." And the president lately has been promoting the same take-it-or-leave-it proposition in defense of his "strategic partnership" with China.

Such echoes have not been lost on Mobil. In a recent ad, the oil company noted that its own "arguments appear to be making inroads." Nowhere has this been more evident than on the matter of sanctions, which Mobil views rather as a lobster would boiling water.

A recent editorial summarizes the Mobil stance on embargoes: "Perhaps the carrot would work." Not surprisingly, the oil company has been effusive in its praise for an administration itself partial to carrots. "Brava, Secretary Albright!" trumpeted the headline of an editorial congratulating the Clinton team on its "call for engagement" with Iran. And when the president decided to waive sanctions against foreign companies doing business in that nation, Mobil assured us that "the waiver was a tough decision, but the right one."

That it has become all but impossible to distinguish a Mobil ad from a State Department briefing suggests a distressing turn of affairs. During the Cold War, U.S. political and strategic interests more often than not coincided with the interests of multinational business. That convergence has long since broken down. But rather than acknowledge the demise of the alignment, the administration justifies its commerce-driven foreign policy with the sort of twaddle peddled in oil-company advertisements, proclaiming fealty to ideals it routinely violates. In doing so, the White House sends a clear signal to dictators and dissidents alike: Business first; freedoms later.

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The Holocaust Museum's Fib

by Mark Schulte

The Holocaust Museum in Washington, D.C., is perpetuating a falsehood; and, worst of all, it knows it.

The museum has had a rocky year. First, it issued an invitation to Yasser Arafat, creating an international scandal. Then it appointed as director of its scholarly center a man who had compared Israel to Nazi Germany. (The man later withdrew from the position, following widespread outrage.)

But the misuse of the museum did not begin in 1998. Soon after its creation by unanimous act of Congress in 1980, the Holocaust Council, which governs the museum, began to distort the truth about the liberation of the death camps. In 1981, the council organized an "international liberators conference" at the State Department. The 26-man American delegation included Secretary of the Army John Marsh, nine members of Congress, and Leon Bass, whom the *Washington Post* identified in a front-page story as a "high school principal from Philadelphia who liberated Buchenwald with an all-black unit." This was the first time the fiction about black soldiers' liberating Buchenwald was disseminated to a national and international audience.

Six years later, the Holocaust Council published speeches from the conference in a volume titled *The Liberation of the Nazi Concentration Camps: Eyewitness Accounts of the Liberators*. In the foreword, Miles Lerman, now the council's chairman, stated that all the combatants among the delegates had been "members of military units that first crashed the gates of Nazi concentration camps." But this was not so: Leon Bass and other "liberators" from the 183rd Combat Engineers Battalion were 190 miles behind the front lines when Buchenwald was overrun by Gen. Patton's Sixth Armored on April 11, 1945. (My late father fought with this division between November 1944 and May 1945.)

With the support of the museum, the black-liberators claim grew into a significant Holocaust distortion. In 1992, public television produced a documentary called *Liberators Fighting on Two Fronts in World War II*. The film, in which Leon Bass had a starring role, falsely claimed that the all-black 761st Tank and 183rd Combat Engineers battalions liberated not only Buchenwald, but Dachau, too.

Two days before the documentary's premiere, the Holocaust Museum, along with New York's Channel 13, sponsored a screening at Lincoln Center for hundreds of prominent black and Jewish Americans, including then-mayor David Dinkins and Harvey Meyerhoff, who was chairman of the Holocaust Council. An article in the museum's newsletter boasted that the museum had provided "many of the photographs and historical background" for the film.

But in February 1993, after vigorous protests from veterans of the divisions that genuinely liberated Buchenwald and Dachau, along with damaging articles by, among others, the late Eric Breindel of the *New York Post*, Channel 13 suspended broadcasts of *Liberators* and commissioned an investigation. The ensuing report, issued in September 1993, conceded that neither of the two all-black divisions had participated in the liberation of either camp.

While Channel 13 publicly repudiated the documentary—a work of ethnic propaganda ("African-American soldiers from segregated units of the U.S. Army became the first troops to free Jews from Nazi concentration camps")—the Holocaust Museum continues to propagate the film's claims. On the second floor of the museum's permanent exhibition, a 10-minute movie spreads the now-discredited fiction. Spliced into footage of Dachau's liberation on April 29, 1945, are several photographs of *Buchenwald* taken five days *after* that camp's liberation, when a small contingent from the 183rd Combat Engineers delivered water-purification equipment.

According to rules established in 1987 by the U.S. Army Center of Military History and the Holocaust Council, only units that reached a concentration camp within 48 hours of the initially arriving division are officially recognized as liberators. Two books issued with the imprimatur of the Holocaust Museum—*The World Must Know: The History of the Holocaust as Told in the Holocaust Memorial Museum* and *Liberation 1945*—include a photograph of Bass and his fellow soldiers at Buchenwald. It is miscaptioned "April 11, 1945."

Last February, when museum director Walter Reich was made the scapegoat for the Arafat debacle and forced to resign, he warned Miles Lerman in a public letter that it was wrong to use the "museum and . . . the memory of the Holocaust in the context of political or diplomatic circumstances or negotiations." Reich had the right idea—and his warning applies to more than misguided invitations.

Much as many might like to believe it, for purposes of contemporary racial politics, black soldiers did not liberate Buchenwald or Dachau. Others did. And the Holocaust Museum knows it.

Mark Schulte, a writer and teacher in Brooklyn, N.Y., has written frequently about the liberation of the death camps.

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THE CLINTON LEGACY

Morality Turned Upside Down

By Noemie Emery

Linda Tripp, says Margaret Carlson, when she pressed the "on" button of her little tape recorder, "lost membership in the family of man." Read herself out of the human community. Lost contact with the whole human race. And for what crime? Not murder, not larceny, not even lying; but for recording and spreading truths others wanted kept secret. By most standards, this is not wholly lovely, but as grounds for damnation, it appears rather thin.

Not so, it seems, in the Clintons' America, where Linda Tripp's offense and others like it have become mortal sins. And as this goes on, something still stranger is happening: Real sins—sins in the Bible, like adultery and bearing false witness, two of the activities captured on Tripp's tapes—are being defined down to meaningless pranks. Adultery is "just sex" and nothing to bother with. Likewise, lying about it is just "lying about sex" and also trivial. Even lying under oath about sex is no big deal. From all of this, the true dimensions of the Clinton Project—the Clinton legacy, one might venture to call it—have begun to emerge.

The Clinton Project is not really about politics. It is about values. That is, it is about an inversion of values. Many have wondered whether the Clintons and their friends are truly immoral—engaged in knowing wrongdoing—or merely amoral, unable to tell right from wrong. Now, it appears neither is accurate. In the strange p.c. terms of their culture, the Clintons appear to be "differently moraled"—that is, they have morals, even quite strong ones, but ones of which no church or state has ever heard. This is the Church of Bill, in the State of Bill, with its own mores and standards. There is the Bible, with its boring old Ten Commandments, where certain acts are simple no-no's. Then there is the Bible of Bill, in which Thou-shalt-nots are downsized to glitches, and trendy new sins are invoked in their place. We are at the verge of a meaningful moment. Let us pause for a look at what the new morality has wrought.

It was back in January, when Bill Clinton was alleged to have said that, according to his interpretation of Scripture, certain forms of sex are not adultery and possibly not even sex, that we began to realize we might have a moral thinker of rare imagination on our hands. And sure enough, his policies have embodied his unique point of view.

Thus abortion, an issue groaning with grave value questions—What is a life? When does it start? When is taking it justified?—is drained of its moral dimension and becomes a mere medical matter, a personal choice. On the other hand, smoking, which *is* a choice and a health matter, acquires solemn moral overtones. Is drawing smoke through your lungs, which one day may hurt you, *morally* wrong, while ripping a life from a womb and ending it *isn't*? In the Clinton code, yes.

Thus Clinton proclaims he will carefully monitor the ads taken out by tobacco companies, because parents "have the right to know" who is luring their children into smoking. On the other hand, Clinton doesn't think parents have the right to know if their children are supplied with abortions or transported for abortions out of state. His surgeon general didn't even think parents had a right to know when schools gave young teenagers condoms. Traditionally, moral codes have sought to discipline and regulate—to moralize—sexual conduct, not out of stuffiness, but because unregulated sex can cause havoc. As this is the traditional view, it must now be uprooted. So sex becomes the one behavior one must never, ever judge.

Indeed, long before Bill Clinton appeared, trailing his fragrant scandals behind him, the Left had already marked out sex as the one great exception to its general political enterprise: the island of license in its sea of restriction, in its ocean of meddling and interference. Socialist in all else, the Left here believes in unrestricted markets. Communitarian to a fault in economics, health, education, welfare, you name it, it is libertarian in this to an extreme. "Privacy" here is the watchword. Government must safeguard the right not to tell a partner one may be giving him or her a fatal illness, along with the right to kill a human being inches or days from being born. Smoking and fat tend to kill over time, but they kill older people, and many people survive them. AIDS kills younger people and always is fatal. Anti-smoking crusaders justify their campaign

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by citing the high cost of treating lung cancer. Per patient, AIDS costs much more, yet the causes of AIDS are never mentioned, much less condemned.

While the administration works itself up to near hysteria over the harm done to young people by secondhand smoke, an epidemic of sexually transmitted diseases (STDs) goes unremarked. The office of Republican congressman Tom Coburn, a physician, cites data showing that 12 million Americans, two-thirds of them under 25, acquire new STD infections every year: That's 12 times as many as start smoking. Five of the 10 most frequently reported infectious diseases in the country are STDs. Some of these ailments cause cancer in women; some cannot be checked by condom use. Like most epidemics, this one feeds on ignorance: Many people don't know that these dangers exist. Why no crusades to save the young from the peril of sexually transmitted diseases, in this most caring and safety-conscious of administrations?

The reason is obvious: the fear of even seeming to censure promiscuity *for any reason whatsoever*. Such censure would violate the code of the strange new religion. People might think you were reading the Bible. How out of step can you be?

Smoking, of course, is a dumb thing to do, and a White House might plausibly use its moral authority to discourage the practice. It is only in the context of other ills considerably more deadly that the intensity of the campaign against smoking must be seen as perverse. Likewise, taping a phone call that one party thinks private is a betrayal. But given the context in which it occurred, its singling out for special condemnation seems odd.

Linda Tripp betrayed a young woman who trusted her. But that offense did not occur in a vacuum. Around, before, and after it, there is good evidence that these other things have happened too:

1. The president of the United States sexually exploited a young woman in his employ.

2. The president of the United States sexually assaulted an aide in his office who had come seeking a job.

3. The governor of Arkansas exposed himself to a state employee of low rank and no power.

4. The most powerful man in the world sent his flacks on missions to destroy the reputations of several women, whose only crime was that he had approached *them*.

5. The president of the United States put an airheaded intern in the position of lying under oath to protect him.

6. The airheaded intern tried to get another government employee to lie under oath.

7. The Pentagon revealed confidential information about an employee to a hostile reporter, who used it to damage her.

Surrounding Linda Tripp's act were many betrayals, of which hers must appear the most innocent. She herself was betrayed by the Pentagon and by Lewinsky, who urged her to lie. Like Tripp, Lewinsky is betrayed and betrayer, used by the president as she tried to use Tripp. But the source of these acts is always Bill Clinton, truly the root of all evil in this sordid case. Tripp made the tapes because she was being pressured to lie under oath about Kathleen Willey, the woman who claims Clinton harassed her, in the Paula Jones law suit. Tripp was also afraid of Clinton's lawyers and fixers and the dirt they had dumped on these women and others. In all of this, devoted disciples of the First Church of Clinton apparently see nothing amiss.

Of all these sins, Linda Tripp's would appear the least deadly—just as smoking seems less perilous for young people than promiscuous sex, binge drinking, or hard drugs. Thus, of course, by Clintonian standards, smoking and taping become the all-important sins. It's an inversion we have seen before. Six years ago, Daniel Patrick Moynihan wrote of the social equivalent and called it "defining deviancy down." Back then, faced with obvious social dysfunction—violent crime, aggressive panhandlers, deranged people sleeping in the streets and subways—some people coped by calling the situation "normal" instead of aberrant and dangerous. So, too, defenders of the moral swamp that is the Clinton administration deal with its obstruction of justice over sex and fund-raising scandals by defining these down, either as commonplace—"Everyone does it"—or as too trivial to mention—"So what?"

But this downsizing of sins into glitches is only part of the story. As Charles Krauthammer has noted, when some forms of deviancy are defined down, there is always a parallel movement in the opposite direction: "defining deviancy up." As real crimes are downgraded to background street noise, fascinating new crimes, like date rape, hate speech, and insensitivity, are invented and pushed up in their place. In fact, it is the decay of the real that *requires* the creation of the fraudulent: People need rules, no matter how ludicrous, to supply a sense of order to their world and a sense of their own effectiveness. "Helpless in the face of the explosion of real criminality, . . . we satisfy our crime-fighting needs with a crusade against date rape," says Krauthammer. "Like looking for your lost

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wallet under the street lamp even though you lost it elsewhere, this job is easier, even if not terribly relevant to the problem at hand." Unable to say much about AIDS—mustn't condemn promiscuity—or about infants in dumpsters—too much like late-term abortion—liberals vent through their jihad against tobacco. Hillary Clinton can't make her husband keep his hands off the help, but she sure can ban smoking. Her White House may have high rollers in the Lincoln Bedroom and sex in the pantry, but you can't say it isn't smoke-free.

This also explains the feminist rage over Tripp. For six years, all the members of the Nina Burleigh school of presidential assessment who treasure the Clintons for abortion and quotas have worked hard to reconcile their political theories (and their dreams about Hillary) with the unbuttoned urges of Bill. Thanks to Linda Tripp and her tapes, this is no longer possible: Bill stands exposed as a lech and a liar, his wife as a very old kind of feminine victim, and their whole model life as a sham. Thanks to the tapes, Clinton's agenda is dead in the water; his party in trouble; his heir losing altitude. As his legacy is, too. Because of the tapes, the Clintons will go down in history as the second coming of the Warren G. Hardings, not the Franklin D. Roosevelts. Because of the tapes, the feminist groups have been forced to surrender their pretense of caring for women, driven to explain that (a) assault isn't assault when a liberal does it or (b) any woman should be thrilled to be harassed or assaulted by such a strong supporter of abortion rights. Of course, they want Linda Tripp disemboweled. They could say, "She blew up our charade." But somehow it sounds so much better to say, "She betrayed that poor girl." It allows them to vent *and* feel righteous. Or so they can tell themselves.

Sean Delonas

Somewhere in his meandering through history—Truman today, Reagan tomorrow; TR and FDR on weekends; JFK in between—Clinton caught the idea that presidents get remembered when they identify a threat to human freedom and dignity—the Axis, Jim Crow, the Evil Empire—and mobilize the country against it. But what to fight when the "health-care crisis" failed and all the other good stuff is taken? Besides, both Clintons seem so hemmed in by the scandals that there is precious little they can rail against. Greed? Lust? Gluttony? Buck-passing? Cowardice? Dissimulation? And they face another small problem: On what ground can they appeal to people? Duty? Honor? Self-restraint? Courage? Self-discipline? TR's bully pulpit, from which his successors have rallied the nation, has shrunk to the size of a pinhead, on which the Clintons are trying to dance. They were forced to embrace smoking as a last resort—one sin or vice in which neither has been tempted to indulge. Feeling called upon to moralize about something, they have cloaked their little cause in grand moral language, railing against a cluster of dubious admen as FDR railed against the Axis during World War II. Meanwhile, when called upon to account for their own actions, they continue to stonewall, obstruct, dissimulate, and to trash and use other people. It's a new kind of morality, but their own.

In the 1970s, Jeb Stuart Magruder, a figure out of our last major debacle, admitted he had "lost [his] moral compass" in the course of the Watergate scandal. The Clintons have done something different: Their compass is not lost, just re-set with north and south reversed. When Clinton and company went to Washington in 1993, talking about new ways of seeing and doing, who could have known what they meant? "Reinventing government" is tame by comparison. Six years later, government is much as it was, but the moral traditions of millennia are under assault. With a president likened to Zeus (by Nina Burleigh) and personally keen on Biblical allusion, his administration sounds more and more like a religious cult. He has his disciples (Carville and Blumenthal) eager to serve him. He has his vestals (Carlson and Clift) eager to tend him. Who then can blame him for using his "mandate" to try to make life anew? But this is a prophet who should be without honor, for his is a devilish work. It is a work of confusion, inversion, and chaos

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that ruins perspective and sets all our standards adrift. A crime is a choice and a choice is a crime. Convicted felons like Webb Hubbell and Susan McDougal are innocent victims, while people engaged in self-preservation are expelled from mankind.

Should friends tape friends? No, they shouldn't. But the questions don't end there. Should friends try to talk friends into crime? Should adult men present ditzy interns with the kind of dilemma that propelled "that woman . . . Miss Lewinsky" to fame? Should employers make such use of those in their power? Is this the way presidents act? Under the present administration, apparently yes.

In fact, the whole sorry train of betrayals was set in motion by one person, Bill Clinton, president of the United States, who betrayed his wife, his employees, and his office repeatedly. A walking source of moral contagion, he is not only corrupt in himself, but the source of corruption in others.

Before they knew him, Linda Tripp and Monica Lewinsky were unlikely candidates for legal entanglements. Bill Clinton has flouted the time-honored standards—but by his standards, he is righteous. The question for the rest of us is whether we will let him seduce us into accepting his transvalued morality as ours. ♦

Why Norman Mailer's Wife Dumped Bill Clinton

She Was Prescient

By Paul Lake

Norman Mailer has quipped that the difference between Bill Clinton's womanizing and Jack Kennedy's is that Kennedy had better taste in women. Coming from the biographer of Marilyn Monroe, the barb was tipped with an extra dose of insult. But it also contained an irony unnoticed by press or public. Only a handful of people in Arkansas now remember a long-stemmed local beauty named Barbara Norris, who carried on a brief amour with young Bill Clinton in the early 1970s as he made an unsuccessful run for Congress. She broke it off, she would later tell friends, when she got tired of his late-night calls to come over for some evening dalliance. Only a handful of her former friends remember that this same willowy redhead later crashed the party of a favorite professor to meet his ex-war buddy, a famous novelist from New York, then followed him to New York, where she became his sixth wife, rechristening herself Norris Church along the way. Here in Russellville, Ark., where she graduated from college and taught high-school art, folk still refer to her by her former name, adding her married name when occasion demands to call her simply Barbara Mailer.

In the years that followed, young Bill Clinton would bed another graduate of Arkansas Tech: Liz Ward (now Elizabeth Gracen), the reigning Miss America. But so wide is the swath cut by Clinton through the female population of the state that even a cross-section provided by a little college 80 miles from the state capital offers a colorful and impressive variety of women. Last spring, two of my wife's students described their own youthful encounters with the Clinton id. I interviewed one, now an attractive forty-ish blond, who described her meeting with the governor at a charity fund-raiser at the Arkansas Arts Center back in 1980. As the event wound down and the other guests were exiting the building, Clinton was left behind with only a driver and a couple of state troopers for company. Overhearing the young woman remark how dull the event had been, he immediately closed in. Leaning into her mass of blond curls, he placed his hand on her thigh and gently caressed it, whispering that she'd have a lot more fun that night if she'd go home with him.

I happened to see Clinton in action five years later,

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at a party thrown by the Clintons at the Governor's Mansion for Arkansas novelist Ellen Gilchrist, to celebrate her 50th birthday and her 1984 National Book Award. Still relatively new to the state, my wife and I went with a writer friend who'd wangled us one of the dozen or so invitations.

Midway through the party, after the wine had been flowing freely for a while, local musician Bill Haymes was hammering out requests from Gilchrist on the grand piano while everyone sang along. Shortly after his comic rendition of Bruce Springsteen's "Born in the U.S.A.," my wife and I looked up to see the young governor hovering over us, positively glowing with charm. Taller and younger than we'd expected, this Clinton was not the silver-haired eminence of today's photo-ops, but the baby-faced politician writer Paul Greenberg once dubbed the state's "boy governor."

Barely glancing at me, the solicitous young governor turned the full force of his attention on Tina, who was modestly dressed in a white silk blouse and charcoal jacket. He seemed particularly fascinated by the antique silver brooch pinned above her breast, commenting on it warmly several times during our conversation.

Kevin Chadwick

Being the youngest and least distinguished members of the party, we were at first flattered to receive such attention. But as the small talk stretched out, it seemed to me that the young governor was showing an inordinate interest in my beautiful young wife. He hovered over her, eyes twinkling with eager expectancy, till the small talk finally flagged and the call to mingle drew him away.

Later, when we filed past the governor and his wife on our way out, Clinton again remarked glowingly on the fabulous brooch. As my wife and I rode home to Russellville that evening, we joked about the dubious nature of his intentions. But as time passed, I tempered my judgment after reading that Clinton collects antique brooches, sometimes giving them to Hillary as gifts. I'd almost chalked up his bright-eyed urgency on that distant afternoon to polite flirting until I read that one of Clinton's alleged gifts to Monica Lewinsky was an antique brooch. His interest in jewelry, it turns out, is yet another *modus operandi*.

Encounters such as these, I suspect, are the lens through which many Arkansans and others close to the president view the rapidly unfolding Lewinsky case. His charm, as often attested, is powerful. In 1985, when she had no cause to flatter Clinton, Barbara Mailer told Peter Manso, her husband's biographer, "I attach myself to people who are on the move—exciting, interesting people like Bill Clinton back in Arkansas . . . who had a terrific personality, charisma, and possibilities."

Less remarked on, though perhaps more significant than his charm, are Bill Clinton's extraordinary gifts as an actor. Whether standing behind the presidential podium or striding the boards in a staged "town hall meeting," he can project ornery defiance or teary-eyed sincerity with grace and chameleonic swiftness. At his pouty-faced, lip-biting best, Clinton has the remarkable ability to seem a precocious but damaged child. He can lie to us and be forgiven, if not quite believed, because he seems to embody the classic American naïf, Huck Finn—a sort of down-home Noble Savage. Through his hotel window in Africa, we caught a glimpse of Clinton's inner Huck pounding on a drum and smoking a cigar to celebrate the dismissal of the Paula Jones case. If Clinton tells the occasional stretcher or breaks the law now and then, we simply shake our heads and smile. After all, the boy means well. He's just a poor fatherless orphan child having a bit of naughty fun.

But of course this is pure illusion. Bill Clinton is no Huck Finn but a *faux naïf*, his every word and movement carefully calibrated for political advantage. It's just another M.O., on a larger scale.

Unsurprisingly for one who strikes such a pose, Clinton is fond of the quintessentially American *faux-naïf* classic, *Leaves of Grass*, which was one of his gifts to Monica Lewinsky, as well as to the young Hillary Rodham. Since the president is not otherwise known

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for his taste in serious literature, it is worth considering why he passes out copies of the book like Gideon Bibles. One look at Whitman's masterpiece makes it easy to see the qualities that must have impressed him.

What poet besides Whitman could speak with such élan about waffling?

Do I contradict myself?
Very well then I contradict myself,
(I am large, I contain multitudes.)

Or write with such empathy about feeling others' pain?

Not a mutineer walks handcuff'd to jail but I am handcuff'd to him and walk by his side . . .
Not a cholera patient lies at the last gasp but I also lie at the last gasp . . .

Whitman was also one of the first writers in America to espouse modern feminism: "And I will show of male and female that either is but the equal of the other . . ." Unfortunately, this sympathy is sometimes accompanied by a bullying insistence that eerily recalls Clinton's reputed way with a maid:

It is I, you women, I make my way,
I am stern, acrid, large, undissuadable, but I love you,
I do not hurt you any more than is necessary for you,
I pour the stuff to start sons and daughters fit for these States,
I press with slow rude muscle,
I brace myself effectually, I listen to no entreaties,
I dare not withdraw till I deposit what has so long accumulated within me.

It's no wonder *Leaves of Grass* serves Clinton as a kind of sacred text. One might even say that Clinton's lifelong ambition to be president grew out of a Whitmanian ambition to be as expansive as America itself. He became the nation's president because it was the way he knew how to express himself. He squeezes out his effusive personality onto the canvas of the radio chat, the televised town-hall meeting, photo-op, State of the Union address, and even the rope-line grip-and-grin. This dramatic self-presentation, however, necessarily involves some artful deception, which draws in not only the public, but those closest to him, perhaps his wife most of all. Indeed, in his worst moments, Clinton recalls not the high-spirited and likable Huck, but his huckster companions, the Duke and Dauphin. And they did not come to a good end, at least in Mark Twain's America.

To maintain the political viability of their myth of innocence, Bill and Hillary Clinton must continue to pose as the happily married Feminist First Couple, hiding from the public what Clinton's former chief of staff Leon Panetta called his "dark side." Bill Clinton has made it clear that he will preserve this fiction at whatever cost to the nation and its institutions. But fooling the public is only half the battle. To persevere in the face of powerful contrary evidence, Clinton must believe in his own essential innocence and the absolute righteousness of his cause.

To prevent the massive cognitive dissonance that would result from an honest self-examination, Bill and Hillary Clinton have over the years perfected the art of denying unpleasant realities. In their own metaphor, they simply put the offending item "in a box." Friends marvel at their ability to carry on with business in the midst of scandals that would drive others to distraction.

When Bill Clinton uttered with such conviction such an obvious mendacity as "I did not have sexual relations with that woman," it seemed as if he intended to convince not merely the public but also his friends, family, and even himself. Simply to operate day by day, both Bill and Hillary Clinton must engage in a massive campaign of hypocrisy and self-deception. Reports from Hillary's friends suggest that during this latest crisis, the First Lady has *decided* to believe her husband's account. In her now infamous *Today* show interview, in which she attributed her husband's problems to a massive right-wing conspiracy, Hillary claimed that Bill woke her to tell her news of the Lewinsky mess with these telling words: "You're not going to believe this. . . ."

Since the Lewinsky scandal broke, Bill Clinton has used every trick in his well-stocked arsenal to ensure that the public doesn't believe the truth either. The president may serve out the balance of his term. But the charm is wearing thin, however much his spinners may wish otherwise. This is a man who has enchanted American women with his feminism and asked men to sacrifice their ambitions on the altar of affirmative action, and yet has apparently spent most of his adult life in the highest offices of his state and nation exploiting his status to seduce women, including other men's wives. Millions now—not just friends and former chiefs of staff—sense a hidden dark side.

Isn't this how things always end for a man who goes through life with a *modus operandi*? The old lines lose their magical effect. The "possibilities" that beguiled in his youth exhaust themselves. He begins to preface everything he says with, "You're not going to believe this." And he is right; we are not. ♦

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The International Criminal Court Must Die

By David Frum

Bluster minus resolve equals humiliation: That is the Clinton foreign-policy formula. Over the past five years, the United States has endured such humiliations in Somalia, in Yugoslavia, in Iraq, and at the hands of China and Iran. Last month, it suffered yet another—this time at the United Nations.

For five years, the Clinton administration talked and talked in its garrulous way about establishing a permanent international court for prosecuting war criminals. This year, it got its wish. In June and July, representatives of the world's governments gathered in Rome to vote on a treaty establishing a new International Criminal Court. As might have been predicted—indeed, it was predicted—the treaty is a disaster from the point of view of both American interests and American values, so much so that the Clinton administration has refused to sign it or send it to the Senate.

It's embarrassing to have to pull the plug on a diplomatic process you started yourself, but the embarrassment is a debacle of the administration's own making. From the beginning, the Clintonites sent dangerously misleading signals to the rest of the world about what the United States was prepared to tolerate. And perhaps, in their dreamy way, they misled themselves too. This is an administration that has all too often seen American sovereignty as an irritating technicality. This sentence from a speech given by chief U.S. war-crimes negotiator David Scheffer in the Netherlands last October merits parsing: "The shield of sovereignty—which, after all, is the bedrock of international law—and the Cold War prevented the best-intentioned architects of the postwar international system from extending accountability or enforcement beyond state responsibility to those individuals who are the most egregious violators of international law."

That's just the sort of self-abnegating talk the U.N. likes to hear from an American. Taking the hint, the Rome delegates went promptly to work on a treaty that refused to pay heed even to America's minimum requirements. Too late, Clinton administration negotiators frantically strove to salvage from the Rome convention something that might have some remote prayer of ratification by the Senate. But the Rome delegates voted down American compromises and amendments amid scenes of anti-American cheering and jeering reminiscent, according to witnesses, of the worst U.N. excesses of the 1970s. The Clinton administration was obliged in the end to reject its own offspring. But despite that rejection, damage has been done: As soon as 60 countries accede to it, the treaty goes into effect—and, according to its terms, it will bind not only those countries that sign, but those that don't. Indeed, unless the United States acts wisely now to forestall it, the International Criminal Court will grow into an institution with a great capability to inflict harm.

It's tempting to believe that things that are impossibly boring—like the work of the United Nations—are also pointless and unimportant. But as tedious as the discussions and position papers leading up to the creation of the new world court have been, they can only be ignored at great peril to U.S. interests in the world.

The treaty confers on an appointed prosecutor the power to decide that the actions of individuals and governments are "crimes against humanity." Working closely with a court staffed by judges from a number of different countries, some democratic, others not, the prosecutor will have the power to question witnesses, gather evidence, frame indictments, and issue arrest warrants. The whole court will then try these cases and impose punishments. Supporters of the Rome treaty argue that nobody has anything to fear from it except the world's Pol Pots. But the treaty's own language tells a different story.

Article VIII lists war crimes over which the International Criminal Court will have jurisdiction. Here's one of them: "Intentionally directing attacks against civilian objects, that is, objects which are not military objectives." Question: Was Hanoi harbor a "civilian object" when President Nixon ordered it bombed in the spring of 1972? What about the presidential palace in Benghazi, Libya, which President Reagan

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attacked in 1986? How about the electrical and water systems of Baghdad, destroyed by the American bombing raids on Iraq in 1991? Or the camps and neighborhoods of Mogadishu into which President Clinton ordered the Marines in pursuit of Gen. Aideed? Americans will say—rightly—that these "objects" were in every case legitimate targets of war, and that the civilian deaths that resulted were sad but unintended. If the International Criminal Court becomes a reality, however, American opinions of American military actions will no longer be the last word. Not the Congress and the American people but a prosecutor perhaps from Bangladesh, and judges drawn (who knows?) from Ghana, Denmark, Jamaica, Ecuador, Oman, and Malaysia, will decide whether an American president has gone too far in defense of American interests.

Of course, power politics being what they are, the International Criminal Court may hesitate to strike directly at the United States. But Israel will provide a convenient proxy, as it long has in the U.N. General Assembly. The language of the Rome treaty implies that the existence of Israeli settlements in the West Bank constitutes a war crime: "The transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies." The treaty further appears to declare the very existence of Israel a crime against humanity; it lists "apartheid" as a crime and then defines "apartheid" in language that U.N. agencies habitually apply to Israel.

Defenders of the treaty will say that these ominous possibilities remain hypothetical. Canadian foreign minister Lloyd Axworthy, perhaps the treaty's single most persistent promoter, says the chances that the court will ever prosecute an American serviceman are "minute." But there's little reason to accept that not very reassuring reassurance. The conferees at Rome stripped away the international procedures that have until now protected the interests of the United States from the caprices of the U.N. system, and opened the door to an alarming possibility of interference in and sabotage of America's ability to defend itself and to guarantee world peace and security.

The United States, like the four other permanent members of the Security Council, can veto important U.N. actions. But the International Criminal Court was carefully structured to deny an American veto. And as the Indian delegate to the Rome conference explained, this was done with the deliberate intention of reducing the influence of the country that through this century has paid most of the bills and shed most of the blood required to defend democracy: "[T]he composition of the Security Council and the veto vested in five permanent members is an anomaly. This anomaly cannot be reproduced and recognized in an [International Criminal Court]. There cannot be one rule for some countries for the exercise of [the court's] jurisdiction and another rule for others."

Astonishingly, David Scheffer, the Clinton administration negotiator, at one point indicated that the United States might actually accept the stripping away of its once-cherished veto, providing only that some role was reserved for the Security Council. This was the so-called "Singapore compromise": Instead of putting in the hands of the Security Council the power to start prosecutions (which the United States could thus always veto), it would have given a majority on the Security Council the power to stop them (which would have meant that the U.S. could protect itself only if seven of its fellow Security Council members agreed). Even this compromise was too much for the governments assembled in Rome, though: They voted instead to confer on the court nearly unfettered discretion to decide whom and when to prosecute.

Almost equally intolerable for the United States, the Rome conference vitiated the principle known in U.N.-speak as "complementarity"—the idea that democratic countries can be trusted to prosecute their own William Calleys. Instead the Rome treaty gives the International Criminal Court power to prosecute criminals even in countries with functioning legal systems if the prosecutor believes that the home country of the criminal is "unwilling to prosecute."

Someday, somebody will have to explain why so many alleged democrats of the late twentieth century were so eager to vest political power in bodies unaccountable to any electorate. But that is what the backers of the International Criminal Court want. In a fascinating speech last December, Louise Arbour—the Canadian chief prosecutor of the Yugoslav and Rwandan war-crimes tribunals—declared, "Subject to legitimate national-security concerns, *which should be adjudicated* by the court, governments should not control, nor should they be perceived to be controlling, the prosecutor's access to relevant evidence." In other words, the international court, and not the duly elected leaders of a country, ought to have the last word about what is vital, and what is not vital, to a country's national security.

Nobody expects the International Criminal Court to go around subpoenaing the U.S. secretary of state right off the bat. It will take a while for the court to work up its nerve. But direct accusations against the

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United States are not the only way for this body to make a nuisance of itself. Suppose a civil war breaks out within a country in which the United States has a vital national-security interest. The American interest in such a conflict will probably lie in pacifying it as quickly as possible, by bringing the leaders of the warring factions to the table. But what if those faction leaders have blood on their hands? The last thing an American diplomat needs, after a long day of persuading the various sides to put down their arms and negotiate, is to have some ambitious U.N. official show up to serve subpoenas. True, the treaty creates mechanisms by which the United States can ask the court to cool its jets. But why should it have to ask?

Considerations like these have obliged even the feckless Clinton State Department to abandon the treaty it sponsored. Now the United States must decide what to do about it. There are four main choices: wait and see, renegotiate it, subvert it, or fight it.

The wait-and-see option would mean giving the court time to establish itself, perhaps providing technical assistance so as to prevent it from acting too idiotically. This risks conferring undeserved legitimacy on the court without in any way curbing its potential to damage U.S. interests. This will be the course preferred by the squishiest officials of the Clinton State Department.

Renegotiation is perhaps the most dangerous alternative, and it's (naturally) the course that the Clinton administration seems most interested in. It entails striking a rhetorical hard line against the treaty in its present form, while pleading with the treaty's sponsors in Canada and Europe to offer the United States some concessions that might provide an excuse for an American signature. In other words: another round of bluster and irresolution leading inevitably to yet another humiliation.

In closely reasoned testimony before the Senate Foreign Relations Committee in late July, former assistant secretary of state John Bolton sketched out the third option. He argued that the United States should isolate the International Criminal Court: make clear that the U.S. will pay no heed to its decisions and refuse in any way to cooperate with its work, all with an eye to reducing its status to that of a UNESCO or some other futile U.N. bureaucracy where the nephews of African and Asian dictators find refuge. Meanwhile, Jesse Helms, chairman of the Foreign Relations Committee, is urging the Clinton administration to adopt the fourth option: combat the court directly—by, for example, refusing to keep troops on the soil of countries that have acceded to the treaty.

Kevin Chadwick

Some combination of options three and four will emerge as the foreign policy of the next conservative administration. But in the meantime, there are three things that the United States should do immediately: announce its unwavering refusal to accept the jurisdiction of the court; reduce its contribution to the U.N. budget by a dollar for any dollar that the U.N. devotes to the International Criminal Court; and declare that any attempt by any country to arrest or interfere with any American at the behest of the court will be deemed an unfriendly act.

Among its many charming habits, the Clinton administration has repeatedly condemned all criticism of its foreign adventuring as "isolationism." But if there is anything likely to stir up the old spirit of American isolationism, it is the arrogant attempt by a world body to displace American sovereignty and American law with unaccountable, unelected quasi-governmental world institutions. Real internationalism is, now and always, internationalism that defends and vindicates American interests and American constitutional values. It's no paradox at all: Those who most want America to play a constructive role in the world must most vehemently insist that the International Criminal Court be junked. ♦

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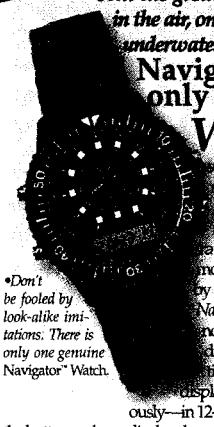

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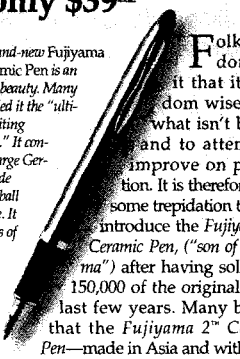

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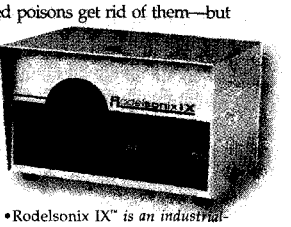

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THE FUTURE OF ART

Defending the Artist as Pygmalion

By David Gelernter

Where does art stand today? Where is it headed? The art world is dark and stormy, visibility is zero, and apocalyptic predictions split the air. Most thoughtful people have barred the door against contemporary art in hopes it will blow over—which is understandable.

Nevertheless, thinking people ought to know where art is and where it is going. Conservatives have a special duty to know, because the Left has abandoned the always-vulnerable idea of "Art for Art's Sake" and left it in a bundle on the Right's front porch. Today's mainstream art has two main strands: radical politics and postmodernist mockery. In 1985, the critic Hilton Kramer summed up his dispute with the postmodern mainstream in the world of art: "What is primarily at stake is the concept of seriousness."

Jed Perl updated Kramer's claim in a recent piece in the *New Republic*: Careful looking is out of fashion—"if not yet lost, then marginalized." "Most of what is getting shown and talked about," Perl writes, "repels curiosity." But Perl and serious people like him "have by and large been shut out of the discussion": The Establishment is closed to them.

If serious art is going to be defended, conservatives will have to defend it. Their reward will be a surprising discovery—that art's immediate future is brighter than it seems.

Arthur Danto is a valuable guide to the past and present state of art. He is the philosopher and critic who claimed in the mid-1980s that art history is over, and he repeated the claim last year in *After the End of Art*. Danto is a brilliant, influential writer and superb critic. Everyone ought to understand his argument and why it is wrong. Although he is no party-line leftist, his account is classically left-wing: It tells about an intolerant, authoritarian culture overthrown in the 1960s by tolerance and diversity. The longer you look at this theory, the more upside-down it seems.

Metropolitan Museum of Art

Jean-Léon Gérôme's Pygmalion and Galatea

Danto holds that art history ended in 1964. He doesn't mean exactly what you might think; he has jazzed up the title a little, and some restrictions apply. But it is hard to deny that art reached a crux in the mid-1960s.

The history of modern art—painted in the broadest possible strokes—goes like this. When you look at a painting, you gaze into the imaginary space conjured up by the artist. Starting with Manet in the 1860s, this imaginary space began to flatten out—like a room where the back wall moves ominously forward. Manet suppressed modeling and shadows to make his paintings shallower; then Cézanne, beginning in the late 1870s, tipped the horizontal plane (of a tabletop, for example) upward and made the background press forward.

In 1907 came the inevitable crash: The wall had moved in so far, it smashed the objects that were supposed to inhabit the painting. This is cubism, where you see objects from many viewpoints at once, because—like crushed-flat figurines newly uncovered by archaeologists—they lie in fragments. The rear wall had come all the way forward. Imaginary space has disappeared and paintings are abstract: There is no room inside them for anything real.

Abstract art began in 1912 and blazed brilliantly from the late 1940s through the early 1960s in the "abstract expressionism" of the New York School. It still exists today, shuffling gamely around the dance floor although the band left thirty years ago. Among the few living artists who are famous and also good, most are abstractionists: Frank Stella, Cy Twombley, Andrew Forge, Gerhard Richter. But abstract art's greatest achievements were completed by 1964, and almost nothing has happened since. We have been marking time as we digest abstract expressionism.

Thirty years is a lot of digesting; yet as recently as 1994, the English writer David Anfam claimed that abstract expressionism remains "a

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Musee d'Orsay / Art Resource

The wall begins to move in: Edouard Manet's Berthe Morisot with a Fan *(1872).*

shade too serious, strange and extreme" for "outright popularity." In truth we are today finally sorting abstract expressionism out: grasping the pre-eminence of Willem de Kooning and the greatness of Jackson Pollock and Mark Rothko; realizing that such artists as Arshile Gorky, Hans Hoffman, and Barnett Newman were not great painters but occasionally produced great pictures; seeing that Franz Kline, Lee Krasner, and several others are important and interesting. And we are poised to go forward in a new direction.

But Danto's depressing idea is that, on the contrary, tomorrow will be just like today. For in 1964, says Danto, we entered the "post-historical age," and that's where we are destined to stay—mired in the Age of Nothing. Although artists go on producing, there is no longer any such thing as a predominant school or leading edge; no artist can be on the right side of history, because there is no more history. "All art," says Danto affably, "is equally and indifferently art"—thanks to Andy Warhol's Brillo Boxes, exhibited in 1964 at the Stable Gallery in Manhattan. They established that art isn't intrinsic to certain things, it is merely a certain way of looking at anything. In the supermarket, a Brillo box isn't art. In the gallery it is; art is the ogle, not the girl.

As Danto understands it, Warhol's coup brought to a close the "Age of Manifestos." The impressionists had announced the unique rightness of impressionism. Likewise the pointillists, fauves, cubists, and many others. But henceforth a thousand flowers would bloom. Notice that, under the covers, this is the Left's all-purpose Creation Myth: the long dark night of meanness leading to the Birth of Tolerance in the golden '60s, like Venus arising (diversely) from the foam.

Danto's claim rests on interesting distortions of history and psychology. He is smart and learned, and knows whereof he fails to speak. He knows that by 1964, tyrannical authority had been dead and "diversity" had reigned supreme in art for over a century. In 1840, Ingres's ivory-cool ice-cream paintings were radically different from the hot chili of Eugène Delacroix—and both men were admired by serious art lovers. In 1880, Edgar Degas was obsessed with the body as a dynamic machine, Paul Cézanne with the static thingness that bodies share with apples and mountains. In 1910, Pablo Picasso's bone-dry desert-colored cubism stood against Henri Matisse's overgrown jungle lyricism. In 1920, Amedeo Modigliani's intimate boudoir nudes contrasted with Paul Klee's poignantly reserved abstractions. In 1940, the hot Coney Island night of Stuart Davis was met by the stark daylight of Edward Hopper. In 1960, de Kooning's gorgeous abstracts differed from Alberto Giacometti's austere portraits and nudes.

Danto is right that by 1964 the Manifesto Age was over. Artists would no longer issue bold pronouncements celebrating their own methods and patiently explaining how all others stank on ice. But Danto makes the mistake of confusing what artists *think* with what they feel called upon to *say*.

Every serious artist is a passionate egomaniac—but he takes it for granted that his fellow artists are too, and is apt to admire at least a few whose methods are radically unlike his own. Picasso and Matisse in 1910 were two

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champion prima donnas with mutually opposed practices—yet Picasso openly (if grudgingly) admired Matisse's work, and Matisse admired his. Piet Mondrian is such a fine example of intolerance that Danto quotes him: "True art like true life takes a *single road*." Mondrian was famous for the acid clarity of his art and for rejecting such lyrical, spill-your-guts romantics as Jackson Pollock. But Danto doesn't mention that Mondrian, upon examining a Pollock painting in 1943, told the art dealer Peggy Guggenheim, "I have a feeling that this may be the most exciting painting I have seen in a long time." Mondrian conceded that Pollock's work "points in the opposite direction of my painting, my writing." But this was "no reason to declare it invalid."

By and large, the manifestos Danto makes so much of were high-spirited, masculine chest-thumping. Danto mistakes the Age of Mouthing Off (which is history) for an Age of Intolerance that never existed. This is significant. American life has improved since 1964 in obvious and important ways. We are less bigoted, richer, and as a nation far more powerful. But our cultural leadership requires that we not deny the obvious: Life has also gotten worse. Our families, schools, cities, and culture are all in worse shape. This truth threatens the legitimacy of the post-'60s Cultural Revolution and its intellectual leadership: Dare to mention it, and the leaders will shout you down by screaming "nostalgia!" like broken records or demented parrots.

Danto is his own man and no conspirator. Nonetheless, his theory fits neatly into a big picture that is wrong. What the new "post-historical," post-1964 generation actually created was not artistic diversity but ideological uniformity. The uniformity is hard to recognize at first, because the two main strands of Establishment art seem so different.

First there is political art. This enterprise is in keeping with the Stalinist view that artists must serve the people, and to do so—to explain to the people how bigoted they are, how neglectful for not having cured AIDS, and so on—artists must produce plain-spoken, straightforward propaganda, for the people are very dumb. At the Whitney Museum's 1993 Biennial, every visitor had to wear lapel pins (each an artwork by Daniel Martinez) that together spelled out: "I can't imagine ever wanting to be white." That is today's "committed" art in a nutshell. (Danto himself has little sympathy for it, on the whole.)

Then there is art based on mockery. Last year's prestigious Venice Biennial, for example, included such artworks as a large stack of identical catalogs, a group of TV sets running test patterns, an installation called "Chandelier" consisting of a chandelier, a collection of underwear to be worn by exhibition guards, and—at an associated exhibit across town—a video show installed in the life-sized hindquarters of three fiberglass cows.

Andy Warhol Foundation / Art Resource

Andy Warhol's Brillo Box *(1964)*

The political art and the mock art have this in common: Each is a form of oratory and therefore requires an audience—to cheer the screaming and snicker along with the mocking, or to be mocked and belabored itself. This requirement reveals in turn the phoniness of postmodern art—for the only way a true artist can succeed is by working to please himself. If he focuses his efforts on other people, he may become a great popular artist or performer, but never a true artist. Picasso as a young man worked only to please himself. Later he played to the crowd. It is a mark of his intelligence and penetration that he said, toward the end of his life, "Giotto, Titian, Rembrandt, and Goya were great painters; I am only a public entertainer."

All message art is phony, because no one needs to send a message to himself. No one needs to entertain himself with mockery. An artist who puts messages in his art declares that he is not serious.

It's not that an artist doesn't *want* praise and an audience; it is painful and harrowing to go without them. But he doesn't *need* them. In 1947, years before the abstract expressionists became famous, the great critic Clement Greenberg described their isolation as "inconceivable, crushing, unbroken." "What can fifty do against a hundred and forty million?" he demanded histrionically. They had day jobs, mostly—de Kooning doing carpentry and house painting, Rothko teaching at Brooklyn College (and being denied tenure), Pollock handling odd jobs at an art museum. But they went on making art.

The story of Pygmalion is art's basic myth. A sculptor makes an ivory woman so beautiful that he falls in love with it. Aphrodite, goddess of love, is impressed and makes the ivory come alive. This plot hinges on the artist's obsession with his own handiwork. (The artist William Scharf reports that Rothko would gaze at his own paintings "sometimes for hours, sometimes for days." Rothko would have been staggered by Jed Perl's report of the "almost universal feeling" in today's Establishment that "art ought to be taken in quickly, instantaneously.")

By describing the artwork as the image of a beautiful woman, the ancient myth makes the artist's obsession comprehensible. The plot is revealing insofar as it deals not only with artistry but with self-absorption and pathetic loneliness. History suggests what you might guess: Few artists live normal social lives. Few are normal in any sense.

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But isn't art (as nearly everyone says) a form of *communication*? Yes—a deep but narrow form. Picture-making is so cramped and limited a language, it can't even say "yes" or "no." It is wholly effective only in communicating pure emotion. (It can illustrate stories, too—so long as you already know the stories.) And serious art communicates only second-hand. The painter doesn't address the viewer, he addresses himself; the viewer overhears. Art-making is thinking out loud or, the emotional equivalent, feeling out loud. And the experience of great art is in part the moral equivalent of snooping in someone else's diary—which helps to make it compelling.

The art world used to be clear on the shaping role of photography in the rise of modern art, but in recent years it seems to have lost the thread. Photography's rise in the mid-nineteenth century was the greatest liberating event in art history. It relieved artists of the quasi-secretarial task of recording appearances—relieved them not so much of specific duties as of *expectations* that weighed heavily. Photography played a large part in sending artists off on a spree. From Manet to de Kooning they did crazier and crazier things. Art stayed out all night, made exactly the sort of discoveries you might expect, and came home transformed. And now artists are facing up once more to art's central reality: Human beings care most about other human beings; humans are moved most by human images.

An art that takes account of this truth promises a future much brighter than Danto thinks. The new art is (or will be) dominated by the more-or-less accurate, undistorted human form. But it is the post-de Kooning form: The new figure art draws power from the tension between realistic human shapes and the freedom of post-abstract-expressionist brushwork, color, and sculptural gesture. It is inspired not only by abstract painters but by such artists as Giacometti, who squeezed the human form down to its bare essence and made it tremble with intensity. And if twentieth-century art drew mainly on Cézanne among the Oldish Masters, the new art draws on Degas, the freest-spirited master of human form. (The realist nudes and portraits that are mildly vogueish today are *not* what the new figure artists have in mind, nor is Lucian Freud's work—these paintings tend to be dark and broken-spirited and earth-bound, admirable, boring.)

The new figure art won't claim to be the "only valid" style. The serious artist maintains a paradoxical mental balance. He knows he is the best; he knows that other artists know *they* are the best. He respects them for this knowledge, as they respect him. Danto is right: Art is polyphonic. But one voice always emerges with the melody. And this new figure art that is now emerging will carry the melody, at least for a while.

In her recent biography of Clement Greenberg, Florence Rubenfeld discusses the high aspirations of Pollock, de Kooning, and the other artists Greenberg championed. But when she turns to the art world in 1998, she writes, "Today art no longer aspires to such heights." To which serious artists respond: Like hell! Could a great enterprise reaching back to Giotto (and past Giotto to Periclean Athens) be knocked off the tracks by a gang of snickering nihilists? The drive to make art—in equal parts mental pathology and spiritual striving—is incomparably too powerful for that.

Today's serious artists face Establishment indifference. They wish it were otherwise, but, when they step back, they know it usually isn't. They can take it, understanding as they do—in words today's Establishment knows how to laugh at but could never begin to understand—that it has always been and will always be an

DISORIENTED

Eric Liu's Escape from Bananadom

By Ramesh Ponnuru

Anyone who doubts that the ideal of assimilation is under siege should look at the reception of *The Accidental Asian*, Eric Liu's new meditation on identity. What criticism Liu has received thus far has been for his *defense* of assimilation—which is proof of how far we've fallen, for Liu's defense is so diffident that it proves in fact no defense at all. Indeed, he disavows the label: "I am an assimilist in recovery: once in denial, now halfway up the twelve-step to full, self-actualized Asian Americanness."

What sets Liu's book apart from other multicultural memoirs is that it is, for the most part, refreshingly free of cant. He is too graceful a writer for that, especially in his reflections about his own family: "When your father, who was Chinese, has died, Chineseness seems an irrelevance: an inert container, just one among many, for holding the memories of shared experience."

Liu knows that Asian-Americans cannot reasonably nurse historical grievances comparable to those of American blacks, and he knows that a hyphenated identity supposedly uniting people as different as Koreans and Pakistanis gathers under one racial umbrella immigrants with no common history, religion, or language. He

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knows, in short, that "the Asian-American identity" is "contrived" and "synthetic," and that it may dissolve through intermarriage within a generation.

So what then is this identity he seeks? It is a sensibility that sees "everyday spaces and objects—sporting events, television shows, workplaces, bookstores, boutiques—through the eyes of a well-educated, socially conscious, politically aware, media-savvy, left-of-center, twenty-to-thirty-something, second-generation Asian-American." Above all, it is an identity preoccupied by identity.

Liu, who is twenty-nine, recalls that in high school and college he was a "Banana"—yellow outside, white within (a knock-off of the derogatory description of assimilationist blacks as "Oreos"). He was no "math and science geek," and he didn't join ethnic clubs or go out of his way to make Asian-American friends. He claims to see in retrospect that a slavish defiance of stereotype is not much different from a slavish acceptance, and he wants now to "detoxify" his old mentality, "to prevent its further spread."

Of course, an Asian-American might refuse to affiliate with other Asian-Americans for reasons that have nothing to do with an "allergic sensitivity to 'pigeonholing.'" For Liu, however, race is always an issue. Did he worry about fitting in as a teenager because he was Chinese-American, or merely because he was a teenager? Did he have trouble getting dates because of his race, or because he was "oblivious to the subterranean levels of courtship"? Overthinking race in this manner—like overthinking adolescence—can only be psychologically enervating.

But the aim of forging an Asian-American identity is at last political—the identity of the self "rooted deeply in threat" to the group. The dangers of this are familiar: It may become necessary to seek out threats, however minor or imaginary, to shore up this identity; and political dissenters must be branded race traitors. Judicious though he tries to be, Liu does not avoid these pitfalls.

The paranoia implicit in this kind of political identity comes out in Liu's obsession with the Asian campaign-money scandal. He spends a few pages describing his anger over a *National Review* cover depicting the president, vice president, and first lady in stereotypically Asian guises. The cover offended many Asian-Americans, despite the fact that it was an attack on the Democrats rather than Asian-Americans—though one purpose of such identity-mongering as Liu's is to blur the distinction and force all Asians to vote Democratic. Liu describes a television debate with an unnamed opponent—me, in point of fact—identified only as a "South Asian" and (my favorite) "a villain" who reveals his "smarmy hypocrisy" while "mouthing his disingenuous party line."

Eric Liu
The Accidental Asian
Random House, 256 pp., $23

Still, I get off easy. Columnist William Safire is declared "a ringleader of the conspiracy theorists": "Early on, Safire fueled fears of Chinese and Chinese American treachery with snarling references to 'favor-hungry foreigners,' 'rich aliens,' 'insidious networking,' and 'penetration by Asian interests'—just the sort of code and innuendo you'd expect from, say, *The Protocols of the Elders of Zion*." And then there's this astonishing claim: "In the period since the scandal broke, anti-Asian hate crimes have increased dramatically." Liu provides no evidence, and official FBI statistics aren't yet available.

All of this is overblown, to say the least. Some of the early scandal coverage did ignore the difference between Asians and Asian-Americans, but this sort of mistake is far less threatening than a president who is willing to invoke the Yellow Horde by warning that, without racial preferences, "there are universities in California that could fill their entire freshman class with nothing but Asian-Americans." Maybe Liu, a former Clinton speechwriter, can talk to his ex-boss about this, but he probably won't: He ends up lamely arguing that preferences are good for Asian-Americans.

Most Asian-Americans disagree. And here we come to the dirty little secret Liu doesn't face: Most Americans of Asian descent aren't Liu's sort of Asian-Americans. You'd never guess from Liu's book, for instance, that they tend to vote Republican—more than whites, in fact. (Some subgroups—Japanese and Filipino, for example—vote Democratic, but this merely underscores the artificiality of the larger category.) Liu writes that Republican opposition to the nomination of Bill Lann Lee as assistant attorney general is pushing these voters into the Democratic party. I doubt most Asian-Americans have heard of Bill Lann Lee.

It's a pretty rarefied crowd, those young, well-educated, socially conscious, left-leaning Asian-Americans identified by Liu. If most prominent Asian-American voices belong to liberals, perhaps it's because everyone else is too busy running businesses and raising families to write books about an angst they don't feel. Liu is laughably off base when he writes that "Asian-American activists, intellectuals, artists, and students have worked, with increasing success, to transform their label into a lifestyle and to create, by every means available, a truly pan-ethnic identity for their ten million members. They have begun to build a nation."

And it is good for the nation—the real nation—that he is wrong. "At bottom, I consider myself an identity libertarian," he writes. "I wish for a society that treats race as an option, the way white people today are able to enjoy ethnicity as an option." This is good as far as it goes; and surely the state should not attempt to compel these matters. But can a culture really be neutral about whether people iden-

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tify more with it than with some subculture?

If Liu doesn't have all the answers, it's partly because he doesn't have all the questions either. But his *Accidental Asian* is still worth a quick read, if only for its splendid evocation of a Chinese-American's youth. Even this South Asian villain could appreciate that. ♦

THE INTERIOR FRONTIER

The History of Frederick Jackson Turner

By Bill Croke

In 1890, the superintendent of the Census Bureau declared, "Up to and including 1880, the country had a frontier of settlement, but at present the unsettled area has been so broken into by isolated bodies of settlement that there can hardly be said to be a frontier line."

And it was with this as an epigraph that Frederick Jackson Turner began "The Significance of the Frontier in American History," the famous essay much reprinted and much disputed since its presentation to the American Historical Association in Chicago on July 12, 1893. But, closed or not, the Western frontier is still very much with us. The West is our national safety valve, attracting everyone from the Freeman-like survivalists to middle-class families seeking a new life to the Hollywood stars who have begun to settle in Montana's Big Sky country. The Rocky Mountains and the high plateaus remain America's interior frontier—geographically, metaphorically, and emotionally.

Allan G. Bogue
Frederick Jackson Turner
Strange Roads Going Down
University of Oklahoma Press,
557 pp., $40

As a historian, Turner still has an apologist in Allan G. Bogue, the aptly titled Frederick Jackson Turner professor of history emeritus at the University of Wisconsin. Keeping alive the flame of the "frontier hypothesis"—that America grew and mostly prospered throughout the nineteenth century thanks to the promise of free land beyond the slowly moving westward frontier—Bogue tirelessly pleads his predecessor's case in his recent biography, *Frederick Jackson Turner: Strange Roads Going Down*. Unfortunately for his intended case, his book is badly marred. It describes endlessly the academic politics and faculty backstabbing that are hardly unique to Turner's career. And when it adds multi-page descriptions of graduate-student seminars, there's less and less for the general reader to like about the book. Still—with 464 pages of text—it is a thorough life of Turner.

There is some paradox in the fact that Frederick Jackson Turner—though deified by the publish-or-perish world of contemporary academic American historians—actually wrote very little: Two books and a small miscellany of essays and reviews are the only legacy of forty-five years of work. Most of his time seems to have been spent not in scholarship but in pursuit of jobs at Wisconsin, Harvard, and Stanford. He seems to have expended as much effort writing to university presidents, publishers, and editors as he did carrying on his life's work. This doesn't stop Bogue, however, from comparing Turner to Francis Parkman and Henry Adams, two historians whose great narrative scope has placed them firmly in the American canon. But where Parkman chronicles in Gibbonesque detail the two hundred and fifty years of struggle between France and England in North America, and Adams exhaustively renders the Jefferson and Madison administrations, Turner's small essay on the frontier is his only real claim to literary fame.

He was born in 1861, the son of a Wisconsin newspaperman, and grew up roaming the woods and exploring the ruins of Fort Winnebago, a defunct military post dating from the early nineteenth century. Turner's beginnings were typical of the small-town Midwesterners of his generation who went on to make names for themselves in the wider world: a father involved in public affairs, a mother who was a former schoolteacher, a schoolhouse education, and a free run through the stacks of a local public library. In the fall of 1878, he entered the University of Wisconsin, winning prizes for both his junior- and senior-class orations and finding his calling, as work with the collections of the Wisconsin State Historical Society led to published pieces in the *Wisconsin State Register*. A short stint as a journalist was followed by graduate work at Johns Hopkins in Baltimore and a teaching position back at the University of Wisconsin. The publication of a paper entitled "Problems in American History" earned him an invitation to read another at the American Historical Association's 1893 meeting at the World Columbian Exposition in Chicago.

The delivery of "The Significance of the Frontier in American History" was the high point of both the meeting and Turner's career. In the paper he proposed that "a great historic movement" had recently ended because of a dearth of land: "The existence of an area of free land, its continuous recession, and the

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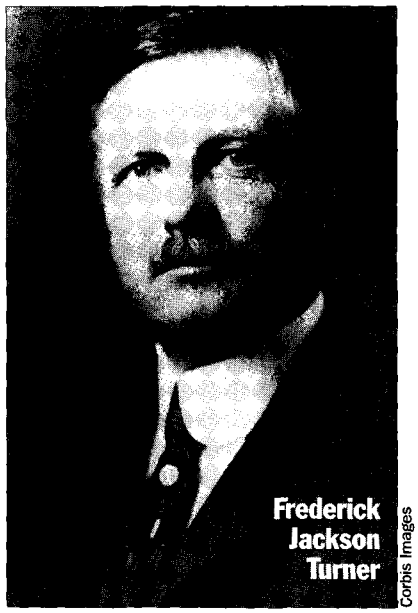
advance of American settlement westward, explain American development," he declared in the paper's famous thesis.

Never has the word "frontier" carried so much weight. It appears 130 times in Turner's address, and he devotes a large part of the essay to explaining its meaning in historical terms: "Fur trader, miner, cattle raiser, and farmer . . . on the march . . . in successive waves across the continent." Turner subscribed to the theory that history is properly a science—which made him a radical departure from the history-as-biography school of his American predecessors Parkman and Adams (to say nothing of historians from Thucydides and Xenophon to Livy and Tacitus to Gibbon and Macaulay). The prestige of Turner's scientific turn has been a major influence on the way history has been practiced in American universities during this century, certainly to the denigration of the classics.

But the value of Turner's essay is found in rhetorical clarity rather than historical contentions. The prose is as bold as an ancient philippic:

> [It is] to the frontier [that] the American intellect owes its striking characteristics. That coarseness and strength combined with acuteness and inquisitiveness; that practical, inventive turn of mind, quick to find expedients; that masterful grasp of material things, lacking in the artistic but powerful to effect great ends; that restless, nervous energy; that dominant individualism, working for good and for evil, and withal that buoyancy and exuberance which comes with freedom—these are traits of the frontier, or traits called out elsewhere because of the existence of the frontier.

And the essay is replete with human color. Jefferson, Jackson, and Clay make cameo appearances while Turner traces the multi-generational westward progress of the Boone family, reminding us that Kit Carson's mother was a Boone. It is here that Turner's thought falls at last into the realm of myth. Daniel Boone and Kit Carson were the stuff of dime novels—as was William F. Cody, "Buffalo Bill," who (Bogue has discovered) had brought his Wild West Show to Chicago that same sweltering July day. The Plainsman pranced around the arena on a big white horse, waving his hat and tossing his silvery mane to the delight of the crowd, while Annie Oakley shot silver dollars out of the air and a stagecoach crew fought a mock battle with real Sioux and Cheyenne antagonists, many of whom (like Cody's friend Iron Tail) had fought George Custer at the Little Bighorn seventeen years before.


Frederick Jackson Turner

Corbis Images

In the years following his Chicago address, Turner struggled to write while scrambling up the academic ladder. Occasional pieces popped up in the *Atlantic Monthly* and *American Historical Review*, but his wife's fragile health frequently distracted him. In 1899, the Turners lost two children: Diphtheria took daughter Mae in February, and a ruptured appendix their son Jackson Allen in October. Deserting the University of Wisconsin for Harvard in 1910, Turner took on a heavy teaching schedule that left him even less time to write.

He was initially opposed to the entry of the United States into World War I. But, being an ardent Wilsonian, he warmed to the idea in 1917, and the 1920s saw his frontier thesis give way to a sectional thesis, with Turner publishing a scattering of essays on the subject throughout the decade. These were fused into *The Significance of Sections in American History*, which won him a posthumous Pulitzer prize in 1933.

Bogue's claim in *Frederick Jackson Turner: Strange Roads Going Down* that Turner was more "varied" than Parkman and Adams is absurd: What both Parkman and Adams knew that Turner seems never to have grasped is that history is the product of the exertion—for good or for evil—of human beings. In the end, Turner seems primarily an academic historian who, though he prided himself on his writing, was concerned mostly with career advancement and the sort of banal researches that are the ruin of most writers—and who, one hot summer day in 1893, happened to have struck a nerve.

And what of the great American West that Turner spent so much time thinking, reading, and writing about, but visited only infrequently? The population density—despite recent growth—is still low. The traditional agricultural, mining, and logging occupations are changing, and environmentalism is increasingly taking hold. The demographics and political paradigms of the past century are slowly giving way, as small cities and towns have reversed their decline. In a strict sense, the frontier is gone, yet there remains open space and seemingly boundless opportunity.

Of course, even that space and opportunity aren't enough for some. When I asked a friend why he was leaving Montana for Alaska this past spring, he answered, "Too many people. The country's filling up." Allan G. Bogue's biography of Turner is for only those who believe that my friend went to Alaska as part of some ongoing "Historical process." I tend to think he went for the fishing. ♦

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THE LAST JUSTICE

The Life and Times of Byron White

By Michael M. Uhlmann

When William J. Brennan stepped down from the Supreme Court in 1990, he received a chorus of extravagant praise not heard since Earl Warren retired in 1969. And when Brennan died last year, there was bestowed upon him the rhetorical equivalent of a state funeral. The general sense of these glowing appraisals of Brennan's life and work is that he was great because he rewrote the Constitution to look the way law professors think it ought to look.

Seated just down the dais from Brennan for nearly three decades was Byron R. White, President Kennedy's first appointment to the Supreme Court. White was everything Brennan was not: taciturn, restrained, publicity-shy, instinctively conservative; a man suspicious of intellectuals and almost preternaturally indisposed to flights of ideological fancy. Where Brennan viewed the Constitution as wax for receiving the impressions of elite opinion, White saw it as a bulwark against the follies of intellectual fashion. Where Brennan took his oath as a license to roam as he liked, White took his as a self-denying ordinance. And where Brennan labored to make the court an engine of political and social reform, White fought to keep it an institution of limited functions and powers.

Upon White's retirement in 1993, sighs of relief echoed from virtually all the professoriate. He was at best, they said, a non-entity, someone who never got with the program. Bruce Ackerman of Yale Law School poisonously dismissed him as having "the arduous sincerity of a man out of his depth."

Justice White

AP / Wide World Photos

Dennis J. Hutchinson
The Man Who Once Was Whizzer White
Free Press, 576 pp., $30

There was a time, however, when Byron White wasn't thought to have done so badly. He acquired at an early age the knack of coming out first in nearly everything he did. He was valedictorian of his class at the University of Colorado while starring in two varsity sports and working twenty hours a week as a busboy. In his senior year, "Whizzer" White (a name he came to despise) was the most talked-about player in college football, the nation's leading rusher, a consensus All-American halfback who, when he couldn't get around defenders, characteristically bulled or stiff-armed his way through them.

To no one's great surprise, save perhaps his own, he was selected in 1938 as a Rhodes Scholar (following in the footsteps of his older brother). He postponed England for a term and, although only a rookie, became professional football's leading ground-gainer with Pittsburgh. After a year at Oxford, White enrolled at Yale Law School—where, while remaining first in his law-school class, he put in two more seasons with the NFL, this time as a Detroit Lion, and became the league's leading rusher yet again.

When his legal career was interrupted by World War II, White served with distinction and bravery in the Solomon Islands. He capped his service as intelligence chief to Arleigh Burke (one of the most daring and decorated naval officers of the Pacific campaign, who later served for an unprecedented three terms as chief of naval operations). Finishing at Yale, he began his clerkship with the chief justice of the United States, Fred Vinson.

Though his record might strike someone like Bruce Ackerman as inferior, most mortals would think that White—before he reached thirty—had already completed a considerable career. Following his clerkship, he returned to Colorado, joined a six-member Denver law firm, and immersed himself in private practice and local affairs for the next dozen years. When John F. Kennedy began his run for the presidential nomination in 1959, White (who had met Kennedy in England and, later, in the Solomons) helped the Massachusetts senator capture the Colorado delegation. And after Kennedy's nomination, White ran the campaign's national citizens operation.

He had his choice of plum assignments in the new administration and finally landed as Robert Kennedy's deputy attorney general. At the Justice Department, he directed staffing, oversaw the appointment of judges and U.S. attorneys, and personally intervened to protect the lives of freedom marchers in segregationist Alabama. Again, had his life ended here, it would have been complete enough for almost any man, and the envy of every lawyer aspiring to public distinction.

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But there was more to come. In 1961, White was named to the Supreme Court, succeeding Charles E. Whittaker, a lackluster Eisenhower appointee. For all the list-making that normally accompanies Supreme Court appointments, the outcome appears never to have been in doubt. Byron White was nominated on April 11 and had his confirmation hearing a week later. The perfunctory affair lasted about an hour and a half, most of which was taken up with praise from bar associations. White's own appearance lasted eleven minutes.

All this and more is recounted with sympathy and commendable clarity by Dennis J. Hutchinson, a former clerk to White and now professor of law at the University of Chicago, in his excellent new study, *The Man Who Once Was Whizzer White.* In this first book-length assessment of White's life and judicial career, Hutchinson comes as close as anyone is ever likely to come to probing the mind of the enigmatic justice.

A shy and indefatigably hard-working lad from the hardscrabble town of Wellington, Colorado, White took from the experience of early fame as an athlete the lesson that those who live by the press release sooner or later die by it. In the end, White concluded, a man is judged by his deeds, not by the fawning admiration or sniping criticism of observers who know neither the ardors nor the pleasures of competitive success.

White's habit of hoarding his privacy extended from personal matters to his opinions on the court. His disposition was not the sort that attracts strong allies among the footnote fetishists who make or break reputations in the law reviews. Despite his personal and professional reticence, White might nevertheless have risen in the eyes of the law-school crowd had he not committed the gravest sin of all. It was bad enough that he dissented from the Supreme Court's nationalization of criminal procedure. It was worse when he repeatedly refused to vest the press with special privileges, and worse yet when he asserted that the court lacked special powers of discernment to overturn most legislative judgments. But, worst of all, he dissented vigorously from the court's arrogant imposition of abortion on demand.

AP / Wide World Photos

White as the Whizzer, all-American running back for Colorado.

Although not given to lengthy doctrinal explanations, White nevertheless made it abundantly clear that *Roe* v. *Wade* and its progeny comprised an extra-constitutional intrusion into the settled customs of the people, a potential disaster not only for the law but for the court itself. And he drove the point home in 1986 when he wrote in *Bowers* v. *Hardwick* that to claim due-process protection for homosexual sodomy was "at best, facetious." With these thrusts, White cut deep at the heart of the liberal campaign to establish a "living Constitution"—a Constitution rewritten by the judiciary and resting on the moral platform of autonomous individualism.

White is an appealing figure, both for the strength of his conviction and the technical skill he brought to his craft. But the question remains whether common-sense conservatism and uncompromising professionalism are enough to counteract the seductive appeal of making the Constitution relevant to what an earlier justice, Oliver Wendell Holmes Jr., once called the "felt necessities of the times." In an era that no longer understands the moral premises of limited government, much less those of judicial self-restraint, White's painstaking case-by-case analysis may be insufficient.

Still, given the choice between nine Byron Whites and nine would-be diviners of constitutional doctrine—even nine conservative diviners—I'd take the Byron Whites in a minute. What they lacked in doctrinal sophistication, they would make up for in prudential restraint. Toward the end of his career, Justice White was asked to sum up his philosophy. With just a hint of that twinkle that he shielded from all but the closest observers, he replied: "Work hard, do your duty, and be on time for supper." There are several thousand years of civilization rolled into the remark. It was enough to make Byron White a remarkable public servant and an even more remarkable man. It may even be enough for us. ♦

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The New York Times

Parody

Spielberg's "Private Lewinsky" Draws Raves, Box-office Success

By JANET MASLIN

AUGUST 1, 2018 — A zipper drops, an undergarment shoots by, a dress is stained—from the first moments of Steven Spielberg's new film, "Saving Private Lewinsky," viewers know that this is an Oval Office adultery movie like none before. Whereas traditional White House romance movies have been gauzily idealized, stressing either the comeliness of the intern or the bravery of the embattled chief executive, this one puts us on the ground, showing us the raw knee abrasions and all the other horrors of public service.

The opening 24-minute "Documents Room" sequence is one of the most harrowing passages in film history. "This is the most genuine movie about the subject ever made," said historian Nina Burleigh, who worked as a paid consultant on the project. "There were scenes when I had to ask them to shut off the projector." At a twentieth-anniversary reunion of veterans of the Bimbo invasion, held in Little Rock's Excelsior Hotel, several of the more than 400 attendees praised the film's authenticity. "This movie puts you face to face with what we went through," said Arkansas senator Dolly Kyle Browning, who was among the second wave to land on the carpet in the gubernatorial mansion in 1982. "I just wish some of the girlfriends I left underneath the desk in that mansion were still here to see it."

Spielberg claims he envisioned "Private Lewinsky" as a pro-adultery movie, which nonetheless doesn't shy away from the sacrifices involved. Released just two weeks ago, the film led new features for gross receipts.

Continued on Page D9

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Q. Did the founders of American government envision a federal judiciary that would oversee the making of public policy regarding education, abortion and euthanasia, race preferences, and a host of other issues?
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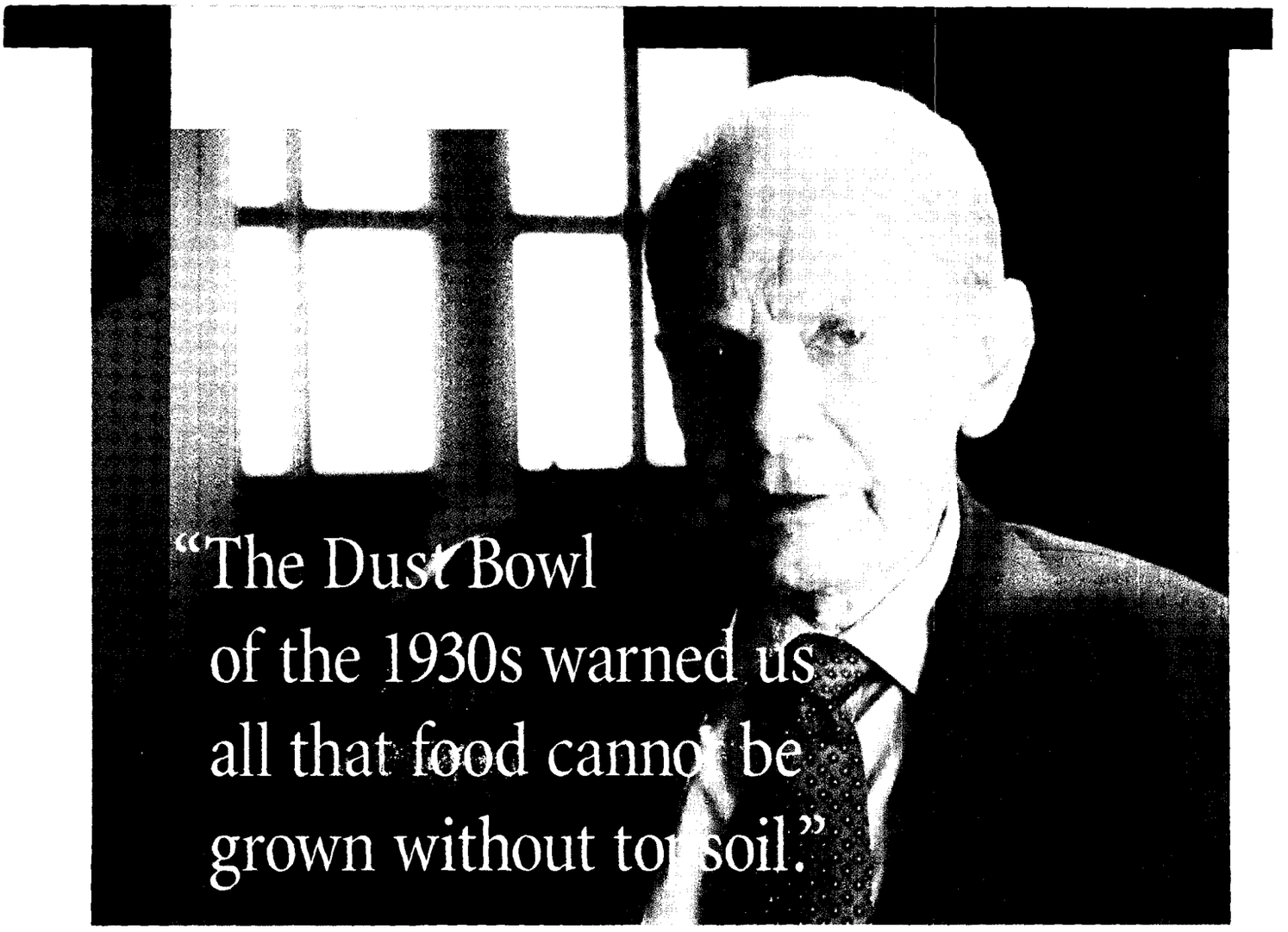

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